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FIRST LESSONS IN CIVICS

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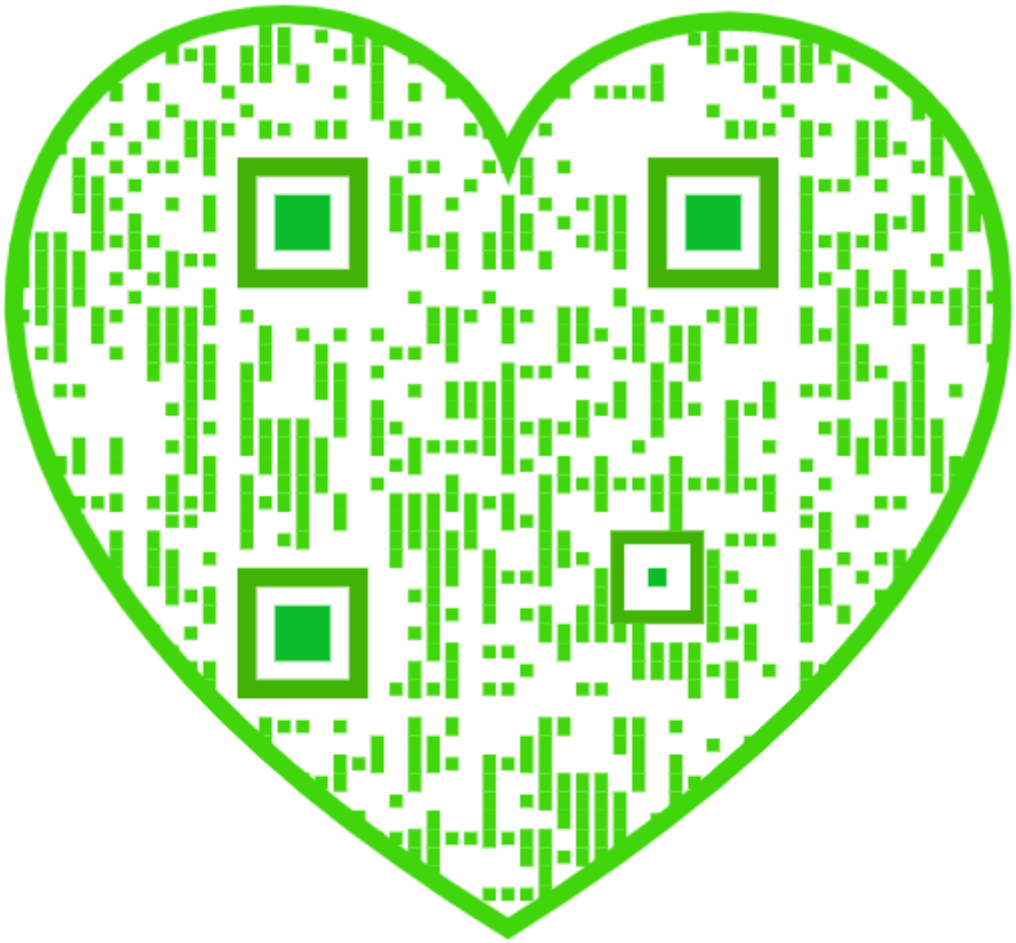

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First Lessons in Civics

A TEXT-BOOK FOR USE IN SCHOOLS

BY

S. E. FORMAN, PH.D.

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PREFACE

If instruction in citizenship is to be given to any considerable number of the children of the country, it must be given in the grammar school grades, for not one child in twenty passes beyond them to higher schools. This book has therefore been prepared for use either in the upper grammar grades or in the first years of the high schools.

An attempt has been made to state briefly and simply the leading facts of the several governments under which we live. But stating facts about government, and having children learn them, will not make good citizens. In the teaching of civics the best must always come from the teacher. His citizenship, his life, will teach more than can be learned from a book. If he teaches in the right spirit, he will make a lesson in civics a lesson in ethics. Unless it is pursued with a distinctly ethical aim, the study of Civil Government in public schools is of doubtful utility. To equip a lad with a knowledge of the working of governments and the rights of citizens, without equipping him with a conscience that will constrain him to practice the virtues of citizenship, may be to prepare him

for a more successful career as a public rogue. This fact has not been lost sight of in the preparation of these lessons. Appeal is constantly made to the moral sense of the child.

In teaching civics, as in teaching anything else, the key to the situation is interest. This may be awakened and sustained by training the pupils in the practical work that confronts the citizen when he enters upon public life. The study of city and village charters, the drafting of resolutions, the framing of constitutions for societies, the discussion of current questions, are resources of which the skillful teacher will constantly avail himself. Above all, he will avail himself of the debate. The class may be resolved into a little commonwealth, where questions of public interest are discussed fully and fairly. By a wise direction of the discussion, the teacher may lead his pupils to become conscious of and to put into practice some of the cardinal virtues of citizenship. By means of debate they may learn to tolerate and respect the opinions of others, to recognize the worth of others, to express themselves with candor but not with violence and abuse, to abandon notions based upon ignorance and prejudice, to submit gracefully to defeat. The questions discussed should be, as far as possible, such as directly affect their school life. For example, it may be a question whether the class as a body shall visit a court in session or a legislature in session. It can go to one, but not to both. The teacher, without throwing his influence this way or that,

may allow the question to be discussed until the claims for both places are fully brought out. He may then put the matter to a vote. They will probably vote for the place where the prospect yields more fun. But the lesson will be none the less impressive for that. The main thing is to arouse a genuine division of sentiment and abide faithfully by the result. Those who are outvoted will have a far keener perception of the meaning of majority rule than they could ever have gained from the words of a book.

The discussions of the class may be so conducted as to result in the formulation by the pupils themselves of a set of rules for the citizen's guidance, a kind of citizen's decalogue. When their hearts as well as their minds have been reached, they may be taught to say:

I must not cheat the State.

I must not cheat the railroads.

I must give a due share of my time and energy to public affairs.

I must vote whenever it is my privilege to vote.

I must not debauch my fellows by bribing them.

I must not accept a bribe of any kind.

I must make a decent living if it is in my power.

I must prefer my country to my party.

I must tolerate the opinions of others.

It is sometimes charged against our schools that neither morality nor religion is taught in them. The teaching of religion seems to be out of the question, and the formal teaching of morals does not meet with much favor. There

is but little teaching in our schools that relates to the conduct of life, which is, after all, by far the greater part of life. Is this wise? Is it right? Should the moral nature of man be so completely ignored in a scheme of education? Surely the development of the ethical nature of children should receive formal recognition in a system of education. It is the teacher's duty to aid in this development whenever it is practicable. In the teaching of civics it *is* practicable to set pupils morally right upon a large class of questions, and the opportunity to do so should not be lost.

S. E. FORMAN.

WASHINGTON, D. C

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LESSONS IN CIVICS

LESSON I

GOVERNMENT AND LAWS

"Order is Heaven's first law."

Meaning of the Word "Government." — In the Latin language the word *gubernator* means *a pilot, a steersman, one who guides;* and from this word *gubernator* we derive our word *governor.* A governor, therefore, is one who guides something, and the word *government* means guidance or management. Thus when we speak of the government of a home, we refer to the management of the private affairs of the home; when we speak of the government of a State, we refer to the management of the public affairs in the State. The word *government* will be used a great many times in this book, and we shall learn that there are many kinds of government. We shall speak of "self-government," of "school government," of "family government," of "state government," of "national government." Wherever the word *government* occurs, it will mean *guidance, management, control.*

The Study of Government. — You are now going to study the subject of government; that is, you are going to study how the affairs of mankind are managed; how

men and women are guided in their journey through the world amidst other men and women; how society is held together and controlled. The study is of great importance, and should be of great interest, for the happiness of men depends largely upon the kind of government that guides and controls their lives. The study of government should interest children as well as men; for children, as well as men, are deeply affected by the government under which they live. In his earliest years the child is under the government of his parents. As soon as he is old enough he is sent to school, where a new government enters into his life and controls his actions. He now lives under the government of the school, as well as under the government of the home. He must obey his teacher, as well as his father and mother. When he goes out into the streets, and parks, and fields, he finds that there is another government to restrain him and regulate his conduct. If he is very noisy, or if he runs upon flower beds in the park, or if he takes fruit from the orchard of a stranger, he is promptly checked by a policeman or other officer, and is, perhaps, punished for his offense. The boy has now learned that there is a third government which he must obey, — the government of the city, or of the State. And thus it is all through life; no matter where we go, or which way we turn, government always and everywhere follows us and regulates our actions. If the governments that control us are wise, and just, and kind, we are made happier by them; if they are harsh, or foolish, or tyrannical, our lives are made miserable by them. By studying and understand-

ing the different forms of government under which we live, we may prepare ourselves to make them better.

The Necessity of Government. — Whenever two or more people live together, there must be rules to regulate their actions. Without such rules they would quarrel and fight, brutal passions would be their guide, and they would soon become savages. Hence, no matter how small or how rude the society, a government of some kind is necessary. Try to think what would happen around you if no one was under any sort of control, if every one could follow his own will and his own appetites and desires.

Laws. — The rules that governments make to guide our actions are called *laws*. A law states what we are to do and forbids what we are not to do. When a law has been made it must be obeyed. No man can disobey a law without being liable to punishment for his disobedience. We may not like a law, we may think a law unjust or unwise, yet so long as it is a law we must obey it. Moreover, when a person violates a law, he is punished, although he did not know there was such a law when he violated it. Ignorance of what the law is will excuse no one. Laws are made for the government of us all, and if we do not know what they are it is either our fault or our misfortune.

How laws are made and changed, and how people are forced to obey them, and punished for disobeying them, will be explained hereafter. At present it is enough to know that any government worthy of the name is always strong enough to enforce the laws that are made. It is the duty of all who live under a government to obey the laws of that government without being compelled to do so.

If we think a certain law is bad, it is our right and our duty to try to have it changed. Are you compelled to obey any laws that you think are unjust?

QUESTIONS FOR ORIGINAL THOUGHT

1. What is the meaning of the word *governess? governmental? ungovernable? gubernatorial?*

2. Explain the use of the "governor" on a steam engine.

3. Name the people whom you know to be officers of government.

4. What would happen if people on the street were allowed to do just as they pleased?

5. What is a hermit?

6. The heavenly bodies move according to certain laws. What do you think would happen if these laws should cease to operate, and sun, moon, and stars should move according to no fixed law?

7. Watch the movements of ants. Do you not see signs of government among them?

8. Watch a large flock of birds flying through the air. Do you not see signs of government among the birds?

9. Can you see law and order in the world of nature around you? Observe an ear of corn; a rose; a leaf.

10. Name some of the uses of government and law.

LESSON II

THE GOVERNMENT OF SELF

"He that ruleth his spirit is better than he that taketh a city." — *Bible.*

Self-Control. — Before you begin to study the different forms of government under which we live, I wish to call your attention to something that is at the foundation of all government. I wish you to think for a few moments upon the subject of the government of one's self, or *self-control.* You doubtless feel in yourself the power to control your own actions in many ways. You can be studious, or you can be idle; you can be respectful, or you can be impudent; you can be kind, or you can be cruel. I think you will not deny that there is within yourself a government which controls your private actions; a *will* that directs the actions of your mind and body. We should all constantly ask ourselves whether our wills carry us in the right direction. True self-control consists in deciding to do what is right and *doing* it. Anger, appetite, laziness, envy, jealousy, pride, revenge, tempt us to do wrong. Love, duty, conscience, whisper to us to do right. For which shall we decide — for the wrong or for the right? If we decide for the wrong, we may in the end become the slaves of our passions and be destroyed. For which, then, shall we decide?

Self-Control may be cultivated. — I believe you all think that you ought to control yourselves and do right, but some of you may feel unequal to the task of always doing right. Now self-control lies in the will. If your will is strong, you will be able to govern yourself under the most trying circumstances; if it is weak, you will not. But remember this: A weak will may be strengthened by exercise, just as an arm may be strengthened by exercise. If a boy who has learned to smoke feels that smoking is injuring him, he should leave off the habit at once. When a cigar is offered to him he should refuse to take it. This may be hard to do at first. Let him refuse a second time and he will find it easier; a third time he will find it still easier. By continuing to refuse he will at last find that his desire to smoke has gone. His will conquers his appetite and he is master of himself. If a girl who indulges in the ugly habit of saying spiteful and untruthful things about her acquaintances becomes ashamed of herself and desires to do better, she should begin by exercising and strengthening her will. When she hears some one saying unjust things about another, instead of helping along with the abuse, she should keep silent, even if she must bite her tongue to do so. By refusing for a time to speak falsely or unjustly about people, she will find that it is not necessary to bite her tongue to prevent herself from joining in when she hears slanderous remarks. She will probably be inclined to use her tongue either to rebuke the slanderer or to say something good about the person slandered. Young people will find that a strong will bent on doing right will carry them safely past temptation.

The Reward of Doing Right. — Thoughtless young people sometimes ask: "What is the use of doing right? What is the use of checking bad impulses and exercising self-control?" If you will look around you, and reflect upon what you see, you will find an answer to this question. You will find that the people who exercise control over themselves are happier than those who are carried along by passion and appetite. Sometimes, it is true, wicked and violent men seem to prosper and even to be happy. But they are not really happy. If you could learn the secret of their lives, you will find that bad, dishonest men lack one thing that is more precious than anything else in life. They may have wealth, and honor, and high social rank, but they have not their own *self-respect*, and no one can be truly happy without this. With self-respect one can never be thoroughly unhappy. You may be unfortunate or unsuccessful; people may scorn you or neglect you, yet if you always firmly do the right thing, you will always have a good conscience and your own self-respect.

The Government of Self the Foundation of all Government. — There is another reward for those who exercise a strict control over themselves. Their government of self makes them good citizens and fits them to take part in the government of others. A community is composed of individuals, and the character of its government will be like the character of the individuals who compose it. If it contains a large number of rogues, swindlers, idlers, drunkards, then its government will certainly be bad, for the government of a people is never much better than the

people themselves. If a community consists of honest, industrious, moral citizens, then it will have a good government. Good government begins with the individual, it begins with *you* personally. If you intend to take a part in public affairs when you grow up, and if you intend to help in making your government better, you should begin by trying to make a good man of yourself.

QUESTIONS AND SUGGESTIONS

1. Learn the following facts about the will:

(*a*) The will grows strong by exercise.

(*b*) The will may be assisted by favorable surroundings. If you determine to leave off an old habit and form a new one, put yourself under favorable conditions, make new associations, avoid temptations, take advantage of every outward aid. —*James.*

(*c*) The will should never lose a battle.

(*d*) The will should act when it is called upon to act; it should never shun a battle.

(*e*) We may strengthen the will by doing things now and then simply because we don't want to do them.

2. Name the faults which stand opposed to each of the following virtues: *courage, perseverance, industry, cheerfulness, simplicity, self-reliance, liberality.*

3. Arrange the following virtues in the order of their importance, placing the most desirable virtue first: *temperance, truthfulness, frugality, prudence, honesty, modesty, unselfishness, patience, charitableness, reverence.* Give reasons for your arrangement.

4. Arrange the following faults in the order in which you dislike them, placing the fault you dislike most first: *anger, stinginess, revenge, hypocrisy, tardiness, jealousy, self-conceit, envy, cruelty, stubbornness.*

5. Make out (1) a list of those virtues that are good for the home, (2) a list of those virtues that are good for the school, (3) a list of those virtues that are good for society at large.

6. Define conscience. When you do wrong, is it the fault of your conscience or of your will? How may the conscience be improved?

LESSON III

THE FAMILY

"There is in the family an angel possessed of a mysterious influence of grace, sweetness, and love; an angel who renders our duties more cheerful and our sorrows less bitter. This angel is woman. Whether as mother, wife, or sister, woman is the joy of existence. She is a treasure of gentle consolation sufficient to soothe every sorrow. It is through woman that the family points to Eternity. Hold then the *family* sacred, my brothers. Reject every attempt to undermine it, for it is of God." — *Mazzini.*

The Family in Ancient Times. — The oldest form of government with which we are acquainted is that which exists within the family. In very early times men did not live in large bodies and associate closely with each other as they do in our day. The father, as the head of the family, was the only one that made laws, and he was, therefore, the only one that must be obeyed.

The power of the father in those old times was very great. He had complete control over the lives and fortunes of all the members of his family. He could sentence a son or a daughter to death; he could sell his children into slavery. A son, whatever might be his age, could not marry without the consent of his father, and could not acquire land or other kind of property and hold it in his own name. Even the children of a son were in the power, not of their father, but of their grandfather.

The Family of To-day. — In our times the power of the father over his children is not so great. Many of the things that the father once could do can now be done only by the government of the State. Yet even now there is no government that affects the lives of young people more than that which comes to them from their parents. Parents regulate the conduct of children, support them, protect them, educate them. It is in the home, while members of the family, that children must look for their greatest happiness. The law that should govern, and that usually does govern, in the family is the law of love and duty. Parents, as a rule, devote their lives to the happiness of their children. What should children do in return?

It has been found that parents are not always kind and loving and just towards their children, and that children are not always grateful and obedient to their parents. It sometimes happens that the parent or the child fails to do his duty. When this does happen, the government of the State steps in and commands what must be done. Let us learn something of the rights and duties which the law will not allow parents or children to disregard.

The Duties of Parents to Children.

(1) *Support.* — The first duty the parent owes to the child is to support it, to provide it with food, clothing, and shelter. If a father should be so hard-hearted as to turn his child out of doors and refuse to give it food, a stranger could take the child into his house and feed it and charge the father with the expense, and the law would

compel the father to pay the bill. This duty of parents to support their children continues until the children are twenty-one years of age. After that time children may not look to their parents for support. It is not often that the law interferes with the parents in these matters; love alone is nearly always strong enough to hold them to their duty.

(2) *Education.* — A second duty which parents owe to their children is to educate them. In many of the countries of Europe, and in most of the States of our own country, parents are compelled by law to send their children to school. In every State schools are provided for children free of cost, and parents are expected to send their children to them: "A parent who sends his son into the world uneducated does a great injury to mankind as well as to his own family, for he deprives the community of a useful citizen." Do you think the State should compel parents to send their children to school?

Rights of Parents in Respect to their Children. — Parents have not duties only, in respect to their children; they have rights also.

(1) *Obedience.* — They have the right to the obedience of their children. The child must obey its parents in all reasonable commands. If it refuses to obey, it may be punished in such manner as the parents think fit. The punishment, however, must be reasonable; it must be such as not to endanger the health of the child or injure it in mind or body.

(2) *Service.* — Parents have the right to the service of

their children. Until children are of age they must work for their parents if their parents need their service. If they earn wages, their parents have a right to take their earnings.

(3) *Assistance in Old Age.* — If the parents are old and poor and unable to take care of themselves, their children may be compelled to assist them. Just as parents are compelled to support the child when it is young and helpless, so the child is compelled to support its parents when they are old and helpless.

QUESTIONS FOR ORIGINAL THOUGHT

1. What is the average number of persons in a family? (Find the number of persons in ten families of your acquaintance and divide this number by ten.)
2. Are parents responsible for the actions of their children?
3. Who is the most unselfish member of the home?
4. Is it a kindness for parents to live beyond their means for the sake of their children?
5. Name some bad habits that children are guilty of in their homes.
6. What sacrifices do parents make in order that their children may be kept at school?
7. How may parents be repaid for these sacrifices?
8. How should disobedient children be punished?

LESSON IV

THE FAMILY (Continued)

Husband and Wife; Marriage. — At the head of the family government stand the father and mother who are united as husband and wife by marriage. Marriage is regarded by the law as a contract, but it is a very strong contract, and it ought to be a very sacred one. It is a contract that cannot be, and ought not to be, easily broken. Marriage is the bond which holds the family together, and it is of the utmost importance to us, both as individuals and as a people, that the family be held together as firmly as possible. The blessings of the family as an institution ought to be ever before our eyes. In the family we grow in character as we can grow nowhere else. In no other place can we learn the lessons of devotion and sacrifice and unselfishness that we learn in the home. Besides being a nursery of virtues and a source of happiness for its individual members, the family brings countless blessings to society at large. Indeed, we may say that the family is the foundation upon which all society rests. If you should destroy the family, you would destroy cities and states and governments and even civilization itself. And just as the family holds society together, so the marriage tie holds the family together. This great truth should never be forgotten. Nations have sometimes forgotten it, and they have always suffered for doing so.

In olden times the wife was regarded as the property of the husband, and everything that she owned before marriage became his after marriage. But in our day woman holds a higher place in the family. She is regarded as the equal of the husband, not as his slave. In most States she may hold in her own name the property she had before marriage, and if she acquires property after marriage she may claim it as her own. The law is gradually coming to regard woman with more favor and to bestow upon her more rights than she had in the past. The husband is bound to support his wife. If he refuses her the necessaries of life she may buy what she needs from any one who will trust her and the husband will be compelled to pay for what she gets. If the wife leaves her husband without cause and of her own free will, he will not be compelled to support her. Upon the death of the husband the wife has the right of *dower;* that is, she has a right for her lifetime to one third of the property in land held by her husband at his death.

Servants. — Servants employed to assist in the work of the household are not usually regarded as members of the family, yet in discussing family government we must not pass them by without a word. There was a time when the position of the servant in the family was quite different from what it is now. A hundred years ago the relation between servant and master was close. The master then would protect his servant from harm, would care for him when he was sick, would support him in his old age. The servant in return was loyal to his master and rendered to him a faithful and willing service. And it was the same

with the maidservants of the household. Mistresses in the olden times did not look upon their maids as hirelings unworthy of sympathy or help. We may learn from a Greek author how a lady was expected to treat her servants in ancient times. A husband and his young wife are talking over household matters just after their marriage:

Husband. "But there is one of the duties belonging to you which, perhaps, will be more painful to you than any other, namely, the care of your servants when they are ill."

Wife. "Nay, that will be most pleasing to me of all my duties if only my servants will be grateful when I minister rightly to them and will love me better."

Husband. "You will have other duties that you will like better. When one of your handmaidens does not know how to spin you will teach her, and make her twice the girl she was; or when one is ignorant of housekeeping you will teach her how to manage a house and make her faithful and mistresslike, and every way worthy."

From this dialogue we learn that in Greece more than two thousand years ago the mistress of the house took a deep personal interest in the welfare and happiness of her servants, and that she was bound to them by ties of love and duty. In order that she might be better served she tried to make her servants noble and good.

We must confess that in our own day there is no such happy relation existing between mistress and maid. The mistress usually thinks her duty is ended when she has paid her servant the wages, and the servant is careful to

render as little true service as possible. The result is discontent and quarreling and frequent changes. Would it not be better for the mistress, would she not be better served, if she treated her servants with kindness and friendliness? Would it not be better for servants to try to win their employers' good will and affection by thorough service and loyal deeds?

Importance of the Family Government. — The government of the family is the smallest of the governments that we shall have to study, but it is not the least important. The larger governments, such as the city or the State, are simply a number of families bound together, and if all the families of a town or of a State were well governed, there is no doubt that the town or the State itself would be well governed. How important then is it that we should do all in our power to make our homes what they should be. Children can serve their country simply by doing their duty in their homes. They can repay the love and sacrifice of their parents by loving and unselfish deeds. Brothers and sisters may bless their homes by living at peace with each other. We should never forget that *the law of the home is the law of love, service, and sacrifice.*

LESSON V

THE GOVERNMENT OF THE SCHOOL

"The school should be pervaded by a spirit of honesty and truthfulness. It should inspire its pupils with a manly resistance to all temptations to deceive or be false." — *E. E. White.*

Pupils should know Something of School Government. — For several years you have attended school, and while in school you have found that you are under a government; that you cannot do as you please; that teachers and school officers regulate your conduct in many ways. This government of the school, in the lives of young people, is next in importance to the government of the family. The present happiness, as well as the future welfare of pupils, depends in a large degree upon how the school which they attend is governed. Pupils, therefore, should understand something of the nature of school government. If you will study this subject carefully, you will understand your teachers better, and your school life may thereby be made pleasanter. Very frequently trouble arises in a schoolroom merely because teachers and pupils do not understand each other.

The School District. — You are sent to school in order that you may acquire useful knowledge, and that your mind may be trained to think rightly upon questions that may arise in your life. The State provides for you

schools which you may attend free of cost. It does this in order that you may grow up to be intelligent citizens. Ignorant citizens are a source of danger to a state. In order that all children may attend school, schoolhouses are built at convenient distances from each other in all parts of the country. It is rare that a child lives more than three miles from a school. When a school is to be established, a portion of territory with definite boundaries is laid off as a School District. Near the center of this district is built the schoolhouse. In a thinly populated community the school may have but one teacher and but twenty or thirty pupils. In a thickly populated district, as in a city, a single school may have twenty or more teachers and a thousand or more pupils. Whether small or large, the School District is the unit of school government.

School Officers. — At the head of the government of the School District is a body of officials whose duty it is to appoint the teacher and supervise the affairs of the school. This governing body is known by different names in different States. In some States it is called the School Committee, and is elected each year by the voters of the School District. In other States it is called the Board of School Trustees, and is not elected but is appointed by some authority above it. Sometimes the governing body is called the Board of School Directors: sometimes it is called the Board of Education. In a few States it is called the Board of School Visitors. In all the States every public school has a set of officers, — whatever they may be called, — who exercise a very close and a very

complete direction of its affairs. In other words, every school has its governors and its government.

Powers and Duties of School Officers. — The school officers of the District have at their disposal for school purposes a certain amount of money raised by taxation. With this money they pay the salary of the teachers, build and repair schoolhouses, furnish the schools with fuel, furniture, maps, books, and other supplies. They make rules for the government of teachers, and usually declare what studies shall be taught. They may make rules for the government of pupils if they choose to do so, although generally they allow the teachers to make such rules. In all important matters relating to the school the teachers must consult the school officers of the District. For example, a teacher may send an unruly pupil home for a short time, but he cannot expel the pupil; that is, he cannot take away from the pupil entirely the right of coming to the school. A pupil can be expelled only with the consent of the school officers. These officers determine the hours of opening and closing schools; they fix the lengths of recesses; they decide when a holiday may be given; they care for the health of the pupils. Thus we see they play a most important part in the government of the school.

The Teacher. — Next to the school officials in the government of the school comes the teacher. So far as the pupils are concerned, the teacher is the real head of the school. The duty of the teacher is twofold, — he must teach, and he must govern. As there can be no good teaching where there is not good government, the teacher

must make every effort to secure obedience and good habits in his pupils. In order to do this, he usually makes a set of rules for the guidance of the school. If these rules are just and reasonable, the pupils must obey them. If a pupil refuses to obey a proper rule, he may be punished for his disobedience; if he persists in disobeying, he may be expelled from the school. What are some of the rules that a teacher may make and that pupils must obey? In the next lesson I will mention a few of those rules that judges in courts of law have found reasonable and have upheld teachers in enforcing. The rules that will be mentioned are such as no pupil can safely disobey.

QUESTIONS FOR ORIGINAL THOUGHT

1. Do you know the boundaries of your School District? Draw a map of the district, locating the schoolhouse.

2. May a pupil living in one School District attend school in another?

3. Name the members of your School Committee.

4. In some States women may serve as school officers. Do women serve as school officers in your State?

5. Draw up a formal petition asking your School Committee to purchase something that your school needs.

6. Is a pupil on his way to or from school under the government of the school or under the government of his parents?

7. In what subjects are teachers required to pass an examination before they are permitted to teach?

8. Imagine you are a school officer and write a letter appointing a teacher; a letter accepting a teacher's resignation.

9. Draw up resolutions expressing sorrow for the death of a schoolmate or teacher, and sympathy for the relatives.

LESSON VI

THE GOVERNMENT OF THE SCHOOL (Continued)

"The seven cardinal virtues of the school are: regularity, punctuality, neatness, accuracy, silence, industry, and obedience."

—*E. E. White.*

Rules that Pupils must Obey:

RULE I. *Pupils must not be Tardy.* — "Tardiness is a direct injury to the whole school. The confusion of hurrying to seats, gathering together of books, etc., by tardy ones, at a time when all should be at study, cannot fail to impede the progress of those who are regular and prompt in attendance. The rule requiring prompt and regular attendance is demanded for the good of the whole school. It is therefore a rule for the government of the school, and must be regarded as proper and reasonable."

RULE II. *Pupils must conduct themselves properly while at School.* — "Henry H—— was expelled from school by the Committee of Rockport, M——, for acts of misconduct, which consisted of whispering, laughing, acts of playfulness and rudeness to other pupils, inattention to study, and conduct tending to cause confusion and distract the attention of other scholars from their studies and recitations." Henry thought the expulsion was unjust, and brought suit against the Committee. The judge who tried

his case thought that the boy was justly expelled, and decided in favor of the Committee.

RULE III. *Pupils should be Regular in Attendance.* — Pupils may not be allowed to remain absent from school without a satisfactory excuse. They may be required to bring written excuses for absence. On this rule a judge, delivering an opinion in court, said: "Continued or repeated absences of one of a class is not only injurious to the absentee but, if allowed beyond a certain point, is calculated to demoralize those who attend and derange the orderly instruction of the teacher." Notice that the judge was not so much interested in the boy who was absent as he was in the pupils who were regular in their attendance. It is the welfare of a whole school, and not the welfare of a single person, that must be considered when making a rule for the government of pupils. In what ways does absence interfere with the general work of the school?

RULE IV. *Pupils must not Play Truant.* — When a child that has been sent to school by its parents does not come to school, it commits truancy, and this is an offense against good school government. In some States and in many cities truant officers are employed to follow up truants and bring them to school. Truancy is a grave fault, and pupils who commit it are liable to get themselves into serious trouble. A judge in a court of law is usually severe with truants. What does the truant lose by remaining away from school? What does the school lose?

RULE V. *Pupils must pursue the Prescribed Course of Studies.* — Every school has, or ought to have, a regular

course of study which all pupils are to follow. If pupils were allowed to select their own studies, there would be the greatest confusion. No two would select exactly the same studies. Neither can pupils be allowed to choose the class in which they are to recite. Both their studies and their rank in school must be left to the decision of the teacher. Would you rather be in a class where the work was too easy for you, or in a class where the work was difficult?

Duties of Teachers and Pupils. — The few rules that have been given above are such as have been found necessary in all schools. In all schools children must be punctual, they must be regular in their attendance, they must be obedient, they must not play truant, they must pursue the studies that are selected for them. Many other rules might be mentioned, but more are not necessary. After all, a school is not made good by rules. A good school is one in which both teachers and pupils try day by day to do their *duty*. What is meant by duty? What is it to do one's duty? You do your duty when you do what your conscience tells you is right. Try to find out what is right, and when you have decided what is right, act for the right, and you have done your duty. It is sometimes hard to tell what is right and what is wrong, but some things are pretty clear. It is perfectly clear that it is the duty of the teacher to do the following things:

(1) To prepare himself thoroughly in the subjects that he teaches.

(2) To work hard for the advancement of all his pupils.

(3) To treat his pupils with respect and kindness, and to extend to them, whenever he can, help and sympathy.

(4) To set an example of right living. A bad man cannot be a good teacher.

(5) To be punctual. A teacher cannot expect his pupils to be prompt if he allows himself to be tardy.

(6) To be careful of his own health and of the health of his pupils.

(7) To train his pupils in such habits as will make good men and women of them.

These are a few of the duties of a teacher. Your teacher has doubtless thought much upon the subject of his duty, and has perhaps read books upon the subject. It would not be strange if you have thought very little of your duty; yet as pupils you have your duties, and you ought to learn what they are and try to fulfill them. A few of the most important duties of pupils are:

(1) To obey cheerfully the five rules that have been stated.

(2) To avoid wasting their own time or the time of their fellow-pupils by whispering, passing notes, or making unnecessary noises in the schoolroom.

(3) To be kind and respectful to their teachers and schoolmates.

(4) To be truthful in all things.

(5) To be loyal to the school and to support the teacher in his efforts to improve it.

(6) To be neat and clean in dress and person.

(7) To avoid speaking ill of their classmates.

(8) To avoid slandering or misrepresenting the teacher.

(9) To avoid bearing tales.

(10) To refrain from cutting, marking, injuring, or defacing school property.

(11) To obey all signals promptly.

(12) To conduct themselves properly on the way to and from school.

There are, of course, other duties besides those mentioned above. In the schoolroom, as elsewhere, there are constantly arising questions of duty that can only be settled by taking into consideration particular facts and circumstances. In all cases, however, the rule is the same: Do right, forget self, and do what your conscience tells you to do. By following the path of duty a pupil will help to make his school what it ought to be — a place where the minds and hearts of boys and girls are trained for the highest manhood and womanhood.

QUESTIONS FOR ORIGINAL THOUGHT

1. From the list of duties of pupils given in the lesson a most important duty is omitted. What is the duty?
2. Make a list of duties that parents owe to the school.
3. Make a list of duties that teachers owe to parents.
4. Name the qualities that teachers like in pupils.
5. Name the qualities that pupils like in teachers.
6. When things go wrong at home with teachers and pupils, do they ever take their spite out in the schoolroom?
7. What does the word *impartial* mean? Can a teacher be perfectly impartial?
8. In your conduct towards your teachers and schoolmates, do you follow the "golden rule"?
9. Discuss "cheating" and "copying."
10. Name some of the benefits of education.

LESSON VII

CITIZENSHIP

WHO ARE CITIZENS

"The ideal citizen is the man who believes that all men are brothers, and that the nation is merely an extension of his family, to be loved, respected, and cared for accordingly." — *Habberton.*

Introduction. — We have studied the government of the family and the government of the school and have learned something of the rights and duties of the members of a household, and also something of the rights and duties of pupils and teachers. The governments that we shall study hereafter are those that we meet with outside of the family and school. They are governments that include a much larger number of people than either the family or the school. A family seldom consists of more than a dozen persons, while the school seldom numbers more than several hundred pupils. But the larger governments that you will be interested in when you go out from school consist of many thousands, and some of them of millions, of people. They are governments, therefore, far more difficult to understand than that of the family or the school. But as they are governments that most of you will be called upon to take a part in managing, it is highly important that you understand their workings. Before we take

up the study of these larger governments, in order that we may be able to understand our subject better, we shall have several lessons on the subject of citizenship, and shall try to learn what are our rights and duties as citizens.

Meaning of the Word "Citizen." — Let us begin by trying to learn what is meant by the word *citizen*. In the strict meaning of the word a citizen is one who has the rights and privileges of an inhabitant of a city; but the word now means more than this. A *citizen* is one who has the rights and privileges of the inhabitants of a state or nation. As a member of the family you have certain rights and duties under the family government; as a member of a school you have certain rights and duties under the government of the school; and so, as one of the inhabitants of a nation, you have certain rights and duties under the government of that nation. A citizen of a country is one born in that country. If you were born in the United States, you are a citizen of the United States. The rank of citizen does not belong to grown men alone, for women and children are as truly citizens as men are. To be a citizen is simply to be a recognized member of a community, and the test of such membership is birth within the community.

Aliens. — But there are many people among us who were not born in the United States. Thousands come to our shores every week from foreign countries. These foreigners are citizens of another country, and are for that reason called *aliens*, the word *alien* meaning *another*. Aliens have not so many rights and privileges as citizens

have. As a rule they are not allowed to vote, and in some States they are not allowed to hold land in their own name.

Naturalization. — Many of the aliens living among us continue to be citizens of the country in which they were born. Yet if they so desire they can be naturalized, that is, they can be made citizens of our country by a process of law called *naturalization.* Before an alien can be naturalized, he must have lived five years in this country.

An alien who wishes to be naturalized must first go into some court of law and declare upon oath before a judge that he intends to become a citizen of the United States. This is called "declaring his intention." Not less than two years nor more than seven years after he has declared his intention, the alien must again appear in court and swear that he renounces forever all allegiance to any foreign country and especially to the country of which he is at the time a citizen. He must also swear to support the Constitution of the United States. If the judge finds that the alien is able to speak the English language and write his own name, that he has resided in the United States for five years, and that he is a person of good moral character, the alien will then be declared to be a citizen of the United States.

There are certain classes of aliens who are not allowed to be naturalized, no matter how long they may live here. Alien Chinese and Japanese cannot be naturalized and therefore cannot become citizens of the United States. Anarchists — persons opposed to all forms of organized government — are also refused the gift of naturalization.

LESSON VIII

CITIZENSHIP (Continued)

CIVIL RIGHTS

"What is liberty without wisdom and without virtue? It is folly, vice, and madness." — *Edmund Burke.*

Civil and Political Rights. — We shall now speak of those rights of which American citizens are so proud. The rights of the citizen may be divided into two classes: (1), his civil rights, and (2), his political rights. Civil rights are those that are enjoyed by all citizens whether men, women, or children. For example, they are such rights as pupils may enjoy. Political rights are such as adult citizens have of sharing in government. Thus the right to vote and hold office are political rights. In this lesson we shall speak of civil rights.

The Right to Personal Security. — By this is meant the right to be secure from injury to our body, our health, and our reputation. If our person is attacked, if violent hands are laid upon us, we can call upon the government to defend us. Policemen, sheriffs, and constables are employed at public expense to secure citizens from harm. If a citizen is attacked, and he cannot get the immediate aid of an officer, he has the right to defend himself. If a burglar breaks into a house at night, the occupant of the

house, in defense of himself and family, may lawfully kill him. If a citizen is threatened harm by a person, he may have the one who threatens him taken before a magistrate and bound with sureties to keep the peace. If the health of citizens is threatened by some nuisance, as by poisonous fumes from a factory, or by a careless accumulation of filth, the citizen may call upon the government to have the nuisance removed or abated. In these and in many other ways the government cares for the personal safety and happiness of the citizen. The government will also defend the reputation of its citizens. If a person slanders you, that is, talks about you in such a way as to injure your good name and lower your standing in the community, you may call upon the government to defend you and punish him who slanders you. If what is said about you is true, you can, of course, do nothing. A person whose conduct is what it ought to be will have but little to fear from slander.

Personal Liberty; Habeas Corpus. — Another right that all citizens enjoy is the right of personal liberty. By this is meant the right to move about freely from place to place without hindrance, to choose a place of residence, to engage in whatever occupation one may see fit, to worship in the church of one's choice, and to speak and print one's thoughts. Of course while you are under the charge of your parents you cannot enjoy this right so fully as you will when you shall come of age. The right of personal liberty is one of the most valuable rights that free men possess. In olden times a powerful man could throw an humble man into a dungeon and keep him there as long

as he desired. In our day such a wrong cannot be inflicted upon a citizen. No citizen can be imprisoned by a private person, nor can any one be imprisoned at all without just cause. If a person is thrown into prison, or is put into confinement against his will, he has the right to a writ of *habeas corpus*. Every one should know something of this famous writ, for it is the greatest safeguard of personal liberty. Let us see what the writ of *habeas corpus* is and what it does for the citizen. Suppose you are thrown into prison unjustly, or that you are confined in some place against your will; how shall you get out? Somebody who is interested in you, perhaps it will be a lawyer, will go at once to a judge of a court and ask that you be taken out of prison immediately and brought before a judge in order that your case may be heard. The judge is bound to grant this request, he is bound to have you brought before him at once. He, therefore, at once issues a writ of *habeas corpus*. This writ is an order to the sheriff, or whoever it is that keeps you in confinement, to bring you as soon as possible, before the court. When you are brought before the judge, and it is found that you are innocent of crime, you are restored to your freedom. If the judge should find that there is good reason for your imprisonment, he will send you back to jail to await a regular trial. Thus we see that the writ of *habeas corpus* gives quick relief to a person who has been unjustly imprisoned. In times of war or great public danger, this writ may be *suspended*, and when it is suspended a citizen may be confined in prison for no cause whatever, merely on suspicion.

The Right of Private Property. — A citizen has the right to hold property in his own name, and the government must protect him in the enjoyment of this property. If any one attempts to deprive a man of that which he lawfully owns, the government will come to the aid of the owner and will punish the offender. If a mob burns down a house, or in some other way destroys property, the local government can sometimes be compelled to make good the loss to the owner. It is the duty of the government to protect property, as it is its duty to protect life and liberty. Besides the right to enjoy in peace the property he owns, the citizen has the right to acquire more property by labor or by trade or by the exercise of his talents. This right of acquiring property is sometimes abused. In the pursuit of wealth a man has no moral right to disregard the just rights of others. Too often men think only of themselves and do not hesitate to take for themselves what in strict right belongs to some one else. But no truly good citizen will do this. A good citizen will follow the rule: Render unto others their due. We cannot all be rich, but we can all be honest and just.

QUESTIONS FOR ORIGINAL THOUGHT

1. A farmer shot and seriously injured a boy who was in his tree stealing chestnuts. Could the farmer have been punished for this act?
2. Is there full enjoyment of all civil rights in your community?
3. In what way may the newspapers abuse the "freedom of the press"?
4. What is meant by "religious liberty"?
5. Discuss the expression, "Live and let live."

LESSON IX

CITIZENSHIP (Continued)

WHO ARE VOTERS

"Voters are the uncrowned kings who rule the nation." — *Morgan.*

The Right of Suffrage. — Civil rights, we have learned, are those rights enjoyed by all citizens, old and young, rich and poor, educated and ignorant. Political rights are enjoyed only by those citizens who are old enough and wise enough to exercise them properly. The greatest political right of citizens is the right of suffrage. It has been said that the word *suffrage* originally meant a piece of a broken pot, and that in olden times a man was voted for by casting for him potsherds, or pieces of broken pottery. Whatever may be the origin of the word *suffrage*, the right of suffrage is the right of voting. Voters are sometimes called *electors*, that is *choosers*. To vote is to express a choice for this or that man for an office, or for the enactment of this or that law. What citizens are voters or electors? Answers to this question will be different in the different States of the Union. In every State, however, there are certain qualifications, certain marks of fitness, required of a citizen before he can exercise the right to vote. These qualifications are:

(1) *Age.* — To be a voter one must at least be twenty-one years of age. It is thought that a person younger than

this does not know enough to vote intelligently, and such is usually the fact. It is also true that many who are much older than twenty-one do not know enough to vote intelligently.

In France and in Germany and some other countries of Europe a citizen is not allowed to vote until he is twenty-five years of age. Do you think that would be a good law for our country to adopt?

(2) *Sex.*—In most of the States a voter must be a male citizen. In Wyoming, Colorado, Utah, Idaho, Washington, and California, women share the right of suffrage equally with men. In these six States women may not only vote, but they may hold office and otherwise take part in public affairs. In many of the States women have the right to vote upon school matters. The movement to give women the right of suffrage seems to be gaining strength.

(3) *Residence.* — A citizen may not vote until he has lived a certain time in the State, and in the city or county in which he desires to cast his vote. A stranger coming into a place should not be allowed to take a part in its government until he has first had time to inform himself upon public matters. For this reason every State requires that a citizen shall "gain a residence" before he is permitted to vote. In some States he must wait two years before he can vote, in others one year, while in a few States a residence of only three or four months is required to give him the right.

(4) *Property; Poll Tax.* — In times past a citizen was not allowed to vote unless he was the owner of a certain amount of property, but in our day a man may vote

even though he owns no property at all. In a few States there is a poll tax — usually a small tax of one or two dollars — that every male citizen of age must pay, no matter how poor he may be. If this poll tax is not paid, the right to vote is withheld. If we except this poll tax, — and even it is fast dying out, — the right to vote is given to all without any expense. Sometimes we hear people say that no one should be allowed to vote unless he owns some property. Do you agree with such people?

(5) *Education.* — In nearly all the States the right to vote is given to the ignorant as well as to the educated. A person may not be able to read or write his name, and yet may vote. Of course such a person seldom knows what he is doing; he cannot make an intelligent choice; he votes either blindly or as some one tells him. Several States demand that a citizen shall be able to read and write before he is allowed to vote.

Persons who may not Vote. — There are several classes of men who may not vote, although they are old enough and have lived in the State as long as is required by law. Such people are:

(1) *Aliens.* — We have learned what is meant by the word *alien.* When an alien has been naturalized, that is, when he has been made a citizen, he then has the right to vote. This is the general rule, although a State may, if it sees fit, allow an alien to vote, and it may refuse to allow a man who has been naturalized the right to vote; for voting is one of the rights of citizenship that are regulated by each State, according to its own wishes.

(2) *Criminals.* — A criminal, that is, a person who has been convicted of theft, or murder, or arson, or some other crime, is not allowed to vote. If a man has been imprisoned for crime, and has been lawfully pardoned, the right of suffrage is restored to him with his freedom.

(3) *Idiots.* — Idiots, lunatics, and imbeciles are not allowed to vote.

(4) *Paupers.* — As a rule paupers supported in an almshouse at the expense of the public are not allowed to vote.

Registration. — For one who has the right to vote and wishes to exercise his right, the first step to be taken is to get his name registered. In every election district there is a Board of *Registrars*, consisting of two or more persons, whose duty it is to make out a list of the names of all citizens in the district who have a right to vote. As a rule, one wishing to vote must appear before the Registrars several weeks before election day and state his name, age, birthplace, where he lives, and what his occupation is. If the Registrars find that he has all the qualifications of a voter, his name will be enrolled upon the voting list — he will be registered.[1]

QUESTIONS FOR ORIGINAL THOUGHT

1. Would it be wise for the State in which you live to pass a law (if it has not already done so) requiring that citizens shall be able to read and write before they shall be given the right of suffrage?

2. What would be the advantages of woman suffrage? What would be the disadvantages? Are *women* citizens?

3. For what reason is the right of voting withheld from paupers?

[1] In some States registration is required only in cities, or only in large cities.

4. Do you feel that you could now vote intelligently?

5. Are Indians and Chinese, living in the United States, allowed to vote?

6. In what large city of the United States do the inhabitants have no vote?

7. State accurately the qualifications for voting in the State in which you live.

8. Discuss the words *elector*, *resident*, *inhabitant*, *denizen*, *citizen*.

LESSON X

CITIZENSHIP (Continued)

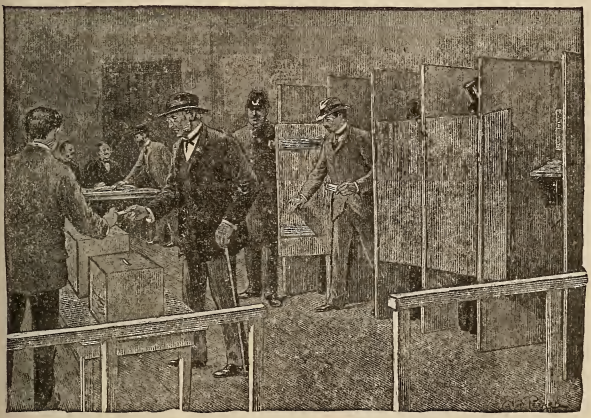
ELECTIONS

"The proudest now is but my peer,
The highest not more high;
To-day of all the weary year,
A king of men am I.

"To-day, alike are great and small,
The nameless and the known;
My palace is the people's hall,
The ballot box my throne!" — *Whittier*.

At the Polls. — On election day every good citizen should go to the polls and vote. The polls is simply a room where several election officers, known as Judges of the Election (sometimes called Moderators) and Clerks of the Election, meet for the purpose of receiving and counting the ballots of the voters of an election district. When a voter enters the polls, he gives his name to the Judges, who have the registration list before them. When his name is found on the list, it is checked off, and an envelope containing a ballot is given to him. A *ballot* is a slip or sheet of paper upon which are printed the names of the great political parties and the names of the candidates for election. The voter takes his ballot and passes into a small booth where he cannot be seen by any one.

In the booth he finds writing material and a shelf or desk on which he may write. If he wishes to vote for all the candidates of a certain party, he makes a cross mark X opposite the name of that party. This is called voting "a straight ticket." If he wishes to vote for candidates without respect to party, he must make separate cross



A POLLING BOOTH

marks opposite the name of each candidate for whom he wishes to vote. This is called "splitting the ballot." After his ballot has been properly marked the voter returns to the place where the Judges sit, and his ballot is put into a large box which is usually made of glass.

The above is the method of voting followed in most States. It is known as the "Australian System," because

it was first adopted in Australia. It is the best method that has thus far been tried. A long time ago men used to vote by calling out in a loud voice the name of their favorite candidate. But this method often led to quarrels and fights, and it had to be abandoned. The open ballot was then tried. By this method the voter cast his ballot before the judges and bystanders in such an open way that any one who desired could see how he had voted. This led to *bribery*. A sum of money would be given the voter for voting in a certain way, and the man who gave him the money would follow him up to the polls, and watch him to see that he voted the way he was paid to vote. The open ballot also led to intimidation. The voter was frequently afraid to vote the way he would like to, lest he might offend an employer or some one else whom he could ill afford to offend. For such reasons as these voting by open ballot grew unpopular, and the Australian or secret ballot system was adopted. This system has its disadvantages. It does not encourage men to come out openly and fearlessly and announce their convictions. Under the secret ballot law a man by guarding his tongue and not letting any one know how he votes, may deprive the community of the influence of his example. It would be better if we could always know how good citizens vote. The great point in favor of the secret ballot is that it helps to do away with bribery. Under the Australian System it is of little use to give the voter money to vote in a certain way, for there is no way to follow him up and see if he votes as he promises. If the secret ballot does prevent bribery, then every State ought

to have it, for bribery is one of the worst evils in politics. A man who gives a bribe to his fellow-citizen, not only debases that citizen, but he debauches society. A bribe giver is a public enemy. What shall we say of a bribe taker? Is he better or worse than a bribe giver?

Counting the Vote; Majority — Plurality. — Immediately after the polls are closed the counting of the votes begins. The counting is done openly in the presence of a number of people. The candidate who gets the largest number of votes is declared elected. Sometimes a *majority* of the votes is required to elect. By a majority is meant more than half of all the votes cast. It often happens when there are three or more candidates for the same office that no one gets a majority of all the votes. In such cases the one who gets the highest number of votes is the successful candidate, although that number is less than half. Election by the highest number of votes is called "Election by *plurality*." In some States a candidate must get a majority of votes, or he cannot be declared elected. Thus, in the State of New Hampshire, the candidate for governor must receive a majority of the votes cast. If no one receives a majority, the election of a governor is left to the legislature of the State.

The Right of holding Office. — Besides the right of choosing officers to conduct government, it is the right of the American citizen to hold office. The business of government requires the service of a very large number of people. In the counties there must be road commissioners, school trustees, tax collectors, sheriffs. In a city there must be a mayor and councilmen and a very long list of officials.

In the State there must be a governor with his secretaries, and the legislature with its senators and delegates. In the nation there is the President with his cabinet and thousands of assistants. It would take many pages merely to name the different offices of the different governments. Now it is the boast of the American citizen that, no matter what his rank may be, he has the right to hold any of these offices. Any boy born in the United States may hope to become President. It is true that only four or five of the millions of young Americans now living can ever be President, yet it is also true that those boys who will be our future Presidents may come from the lower walks of life. We have had as President of the United States a man whose early occupation was that of a tailor, and who did not learn to write until after he was married. It is a great honor to be chosen to a position of trust and power by one's fellow-citizens. The great trouble is men often do mean and dishonest things to get into office, and then after they are in the office they disgrace it by their selfishness and corruption. It should be the ambition of every American youth to be worthy of office.

QUESTIONS FOR ORIGINAL THOUGHT

1. Smith, Jones, and Brown are candidates for an office. Smith gets 5000 votes, Jones 4000 votes, and Brown 3000 votes. Does Smith get a majority or a plurality of votes? What is the smallest number of votes that would elect in this case if a majority were required? What does the word *minority* mean?
2. Discuss the evil effects of bribery.
3. Who said "I would rather be right than be President"?
4. Should the office seek the man, or the man the office?

5. Do you know any candidates for office? Are they men well qualified for the positions they are seeking?

6. "A weapon that comes down as still
As snowflakes fall upon the sod;
But executes a freeman's will
As lightning does the will of God."

What is the "weapon"? Memorize the quotation.

7. Bound the election district or precinct in which you live.

8. Secure, if you can, a ballot used at an election, and mark it as you would if you were going to vote.

9. Discuss methods of preventing bribery. Would you vote for a man who would give bribes?

10. Are voting machines used to any extent in your State?

LESSON XI

CITIZENSHIP (Concluded)

DUTIES OF CITIZENS

"Do what conscience says is right,
Do what reason says is best,
Do with all your mind and might,
Do your *duty* and be blest."

A Few Words about Duty. — For several lessons we have been discussing the *rights* of citizens; in this lesson we shall speak of a few of the *duties* of citizens. We are all inclined to think too much of our rights and too little of our duties. We should never forget that for every right we enjoy there is a corresponding duty. A right has been called the reward of a duty fulfilled, and this is the way to regard duty. After we have done our duty, then we may claim our rights; after we have fulfilled the duties of citizenship, we may in good conscience claim our rights as citizens. Government cannot give to us more than we give to it. If we are careless or selfish in respect to our duties to our government, we may be sure that it will not have so many blessings for us as it would have if we were watchful and faithful in our duty. Let us now learn what duty requires of all good citizens.

Obedience to the Law. — The first duty of a citizen is to obey the laws of his country. Without obedience to law

there can be no such thing as good government. Whether in the home, in the school, or in the State, the violation of law is attended with some kind of punishment. When a law of the State is broken, he who breaks it may be fined, that is, he may be compelled to give up a sum of money, or he may be imprisoned, or he may be both fined and imprisoned. In the case of murder, he who takes the life of another may be compelled to give up his own life. But I do not wish to hold up the punishments of the law before you in order to frighten you. I do not want you to obey the law simply because you are afraid of the punishment that would follow if you should break it. People who obey a law through the sense of fear are likely to break it if they think they will not be discovered. Such people are satisfied if they can keep out of jail. It is against the law to give a man money for his vote; yet how many citizens violate this law simply because they run but little risk of being detected and punished! A bribe giver is no less a criminal because he escapes punishment. Laws should be obeyed because it is a duty to obey them. It is our right to seek the protection of the law; it is our duty to do the bidding of the law.

Defense of One's Country. — A most serious duty of the citizen to his government is to defend it against its enemies. You boys may at some time in your life be called upon to take up arms and fight for your country. If such a time should come, you should not flinch, but should go forth bravely to the battle field, prepared to lay down your life, if necessary. But you should not wish for war or try to stir up strife. The good citizen will try to avoid

war. Men and nations should live at peace with each other; war is never right unless it is waged for the purpose of making the world better in the end.

Earning a Living. — Every citizen should try to earn an honest living for himself and those dependent upon him. A man who does not work is a burden upon the community. What he eats and wears is produced by the labor of other people. Now, an able-bodied man who lives upon the labor of others loses his own self-respect and deserves to lose the respect of others. Hence, a good citizen will refuse to eat bread that he has not earned, if it is possible for him to earn bread for himself. Sometimes men cannot earn their own living, they cannot find work to do. When this is the case, there is something wrong somewhere, and it is the duty of good citizens to try to discover where the wrong is and to take measures to remedy the wrong. In a land of plenty no strong-armed man, willing to work, ought to be compelled to go hungry.

Attention to Public Affairs. — It is the duty of every citizen to take an active part in public affairs. He should not only vote for good men and good principles, but he should try to get other people to vote for good men and good principles. In some countries, as in Siam and Russia, there are hereditary rulers who are above the people, and who govern according to their own notions of right and wrong. Such rulers command; the people obey. In our country, however, we have no such rulers. Here the people must govern themselves. If we have good government, the people are to be thanked for it; if we have bad government, it is the people's fault. This is

why it is the duty of every citizen to do all he can to secure good government. This is why every citizen should take a part in politics.

Duty of studying Political Questions. — Before you enter politics, however, you should make a careful study of political questions. There are several great political parties in this country. If you wish to cast your vote to the best advantage, you must vote for the candidates and principles of one of these great parties. But before you cast your vote for a party, you should learn what that party wishes to accomplish; before you vote, you should know what you are voting for.

While you are at school you may prepare yourselves to vote in an intelligent manner when you come of age. You may do this in two ways, — by *reading* and by *discussion.* Read history. You cannot understand the present without understanding the past. Read the lives of great men. The founders of our government were unselfish men. Read what they wrote about government and learn what they did for their country. Read the history of political parties and study their platforms. Read works upon government. Read good newspapers and inform yourselves of the political questions of the day.

But reading is not enough. Along with reading must go discussion. Our government is founded upon free and open discussion. This is why citizens are guaranteed freedom of speech. By talking over a question in a good-natured way with friends we learn a number of things. In the first place, we learn more about the question under discussion. We almost always find that our friend knows

something about it that we did not know. Then we learn to express our thoughts more clearly and forcibly. We never know a thing well enough until we can tell it to some one else. Discussion also teaches us to have respect for the opinions of other people; and this is very good for us. Above all, discussion is good because it leads to the truth.

When there are a number of people to take part, the best way to conduct a discussion is through the debate.

QUESTIONS FOR ORIGINAL THOUGHT

1. Can you name a war that was a blessing to mankind? One that was a curse?
2. Would you fight for your country, even if you thought it was in the wrong?
3. Should a citizen obey a bad law? Who shall judge whether a law is bad or good?
4. Explain how a single vote may decide the result of an election.
5. What are some of the things a politician must do?

LESSON XII

TAXATION

"If we live in a country not wholly barbarous, we cannot escape tax, and it is the fate of man to bear his proportion of its burdens in proportion to his expense, property, and consumption." — *D. A. Wells.*

Government supported by Taxes. — In this lesson we shall speak of a duty that all citizens must perform, — the duty of paying taxes to the government. It requires a vast amount of money to meet the expenses of government. Salaries have to be paid to officials, large public buildings have to be erected, fleets and armies have to be fitted out, charities have to be supported. The money required for all this comes from the pockets of the citizens whom the government protects. The government raises money by means of a tax. A *tax* is a sum of money collected from citizens for the support of the government. It is plain that each citizen ought to be taxed according to his means. A man who is very poor ought not to be compelled to pay so much as a man who is very rich. Yet it is not easy to lay taxes justly. The rule generally followed in laying taxes is this: Taxes are laid on *property*, and the more property a man owns, the greater must be his share of the tax. Property is of two kinds, *real property* and *personal property*. Real property consists of lands and buildings and growing crops. Personal property is prop-

erty that the owner can carry with him from place to place; as horses, furniture, money, bonds.

How each Taxpayer's Share is Determined. — A tax collector presents to your father a tax bill, calling for, let us say, $33.50. How was this bill made out? How was it determined that your father should pay to the support of the government just $33.50, no more, no less? Let us try to get an answer to this question.

Let us suppose that you live in a town, and that it is your town government that has sent the bill. The first step taken is to determine how much money is needed. It is found that the town needs

For its schools, police, streets, water works, and other expenses of Town Government	$40,000
For taxes due to the County Government	6,000
For taxes due to the State Government	4,000
Total amount of taxes to be raised	$50,000

This $50,000 must be paid by the property owners of the town. In order to distribute the burden fairly, officers called *Assessors* visit all the houses and places of business in the town, and place upon every man's property what they think is a fair valuation. Thus they find that A has a house worth $3000 and furniture worth $500, or property worth in all $3500. B is found to own a factory worth $75,000 and goods worth $25,000. He is, therefore, assessed at $100,000. C owns building lots worth $2000 and horses and carriages worth $500. C's property, therefore, is put down on the Assessors' list at $2500. D owns a little house which the Assessor thinks is worth $400;

his furniture is so scanty that no value is put upon it, and it escapes taxation. Your father's property, we will suppose, is placed on the Assessors' list at $1675. In this way the value of the property of every taxpayer in town is estimated by the Assessors and put upon the assessment list. By adding together the fortunes of A, B, C, D, etc., the entire value of all the property in the town is found. Let us suppose that this amounts to $2,500,000. You remember that the amount to be raised by taxation is $50,000. Now if property worth $2,500,000 must pay $50,000 in taxes, property worth one dollar must pay two cents in taxes. Every man in the town, therefore, must pay two cents in taxes for every dollar's worth of property he owns. This two cents, or 2%, or .02 is called the rate of taxation.

A will pay . . $3,500 × .02 . . $70.00 in taxes,
B will pay . . 100,000 × .02 . . 2000.00 in taxes.

You now see why your father's tax bill is $33.50.

The Collection of Taxes. — After the Assessor comes the *Tax Collector.* This officer collects the taxes from the owners of property and turns it over to the treasury of the town government. The Town Treasurer sends to the County Treasurer the share that belongs to the county, and to the State Treasurer the share that belongs to the State, and retains what is left for the expenses of the town government. When a man refuses or neglects to pay his tax, the law will compel him to pay. The Tax Collector must collect the taxes, even if he is obliged to sell the property to get them. When land is sold for

taxes, the owner may regain the land by paying to the purchaser within a specified time the amount of the taxes with interest.

Exemption. — This word means "freedom from a burden or charge." Certain kinds of property are free from the burden of taxation. Thus, churches, cemeteries, schoolhouses, free libraries, charitable institutions, and all public buildings are exempt from taxation; likewise a man's household furniture when it is worth less than a hundred dollars, in many States, is not taxed. The laws of some States allow to soldiers who fought for the Union in the Civil War an exemption on property to the amount of one thousand dollars.

"Tax Dodgers." — Men sometimes avoid paying their just taxes. They will hide such property as they can hide; they will lie about the value of their property; they will invest their money in such a way that the Tax Collector cannot reach it. Such men are called "tax dodgers," and they are not good citizens. It is not the part of good citizenship to defraud the government of its taxes. Government protects men in the enjoyment of their property, and they ought to be willing to give it a hearty and ungrudging support.

QUESTIONS FOR ORIGINAL THOUGHT

1. When a property owner thinks his property has been assessed too high, he may complain to the Assessors, and if these officers think his complaint is just, they will reduce the assessment. Suppose the owner thinks his property has been assessed too low; should he go to the Assessors and request them to make the assessment larger? If a man should send you a bill for three dollars when you know you owe him

five dollars, would you call his attention to the mistake? Should we be as honest with the government as we are with our neighbors?

2. How is the money for the support of your school raised? Who is the largest taxpayer in your school district? Does he get more benefit from the government than any other man in the district?

3. Name some of the returns taxpayers get for the money they pay to the government.

4. Is wheat in a barn real property or personal property?

5. What is the tax rate in your town? In your county? In your State?

6. Name the kinds of property in your State that are exempt from taxation.

LESSON XIII

TAXATION (Continued)

"The Congress shall have power to lay and collect **taxes, duties,** imposts, and excises." — *Constitution of the United States.*

Duties and Excises. — In our last lesson we learned how taxes are raised for the support of the town, city, county, and State governments. We learned that the expenses of these governments for the most part are met by laying a *direct* tax upon property. But the great government of the United States, which requires over $800,000,000 a year for expenses, is not supported by a direct property tax. It is supported mostly by *indirect* taxation. What is meant by indirect taxation will be explained presently. The indirect taxes collected by the government which has its capital at Washington, are either *duties* or *excises.* A *duty* is a tax or tariff laid upon goods that are imported into this country from foreign countries. This tax is paid to government officers by the merchant who imports the goods. But the merchant does not bear the burden of the tax. If he is compelled to pay a duty of 75 cents per yard upon silk which he imports from France, this 75 cents is added to the first cost. If, *without* a duty, he could sell his customers French silk for $1.50 per yard at a profit of 10%, *with* a duty of 75 cents, he sells them the

silk for $2.32 per yard. It is, therefore, the customers who pay this duty, or tax. *Excises* are taxes paid by manufacturers upon goods made in this country. Thus the taxes upon liquors, tobacco, and cigars are excises. An excise tax, like a duty, is paid by one person, but the burden is usually shifted to another. If a tobacco manufacturer is compelled to pay a tax of 50 cents upon every box of cigars he makes, he counts this as a part of the cost, and charges his customers accordingly. Duties and excises are called indirect taxes, because the real burden of these taxes does not fall directly upon the people who pay them, but indirectly upon some one else. Excises and duties are laid upon such articles as beer, tobacco, sugar, tea, coffee, woolen goods, cotton goods, leather, iron, tin, etc. From this we see that everybody who wears clothes and consumes food, that is, the whole population, contributes something to the support of the National Government.

The Income Tax. — Besides the general property tax, and duties and excises, there are several other kinds of taxes that we must mention. Important among these is the *income* tax. An income tax is laid upon a man's salary, or upon the profits of his business, without reference to the amount of property he owns. A certain rate is determined upon by the government, and every man must pay according to his income. If the rate is 3%, and his salary or the profit of his business is $3000, then he must pay $90 as his income tax. A *progressive income* tax is one where the rate grows larger with the income. Thus the rate might be 3% for all incomes under $5000; 4% for

all incomes between $5000 and $10,000; 5% for all incomes between $10,000 and $50,000; 8% for incomes between $50,000 and $100,000; 10% for all incomes over $100,000. Do you think a progressive income tax is just?

Licenses; Fees. — A *license* is a privilege granted by a government permitting one to engage in a certain occupation or to perform a certain act. For granting a license government usually charges a sum of money. The liquor license permits the holder to sell liquor; the merchant's license permits the sale of goods; the marriage license permits the marriage of the couple to whom it is granted. A *fee* is a small sum paid to an officer of the government for the performance of some public service. Thus if you wish to get a deed to land properly recorded, you will have to pay the recording officer a small fee.

Poll Tax. — This word *poll* means head; a poll tax, therefore, is a tax upon the *man* and not upon property. It is usually a small sum, not exceeding three dollars for each man. A male citizen above the age of twenty-one must pay this tax, although he has no property at all. Not all States do have a poll tax, yet usually where there is such a tax, it must be paid before the citizen is allowed to vote. The poll tax is not popular in the United States, and in some of the States it is forbidden entirely.

Franchises. — A government sometimes adds to its revenue by the sale of its franchises. A *franchise* is a particular right given to a person or a body of persons. Very often governments have valuable franchises to dispose of. For instance, the right to use the streets of a city for a railway is very valuable; the right to lay pipes for sup-

plying a city with gas is a desirable franchise. In one of our large cities every street car company is compelled to pay 9% of its gross earnings into the city treasury. Governments should watch their franchises with a jealous eye, and should not part with them without making a good bargain for the public. Too often when a franchise is granted the bargain is made in the interest of private parties.

Eminent Domain. — Closely related to the government's right of taxation, is its right of "eminent domain." By this is meant its right to take private property for public uses. If the government wishes to use your house for a post office, or if it desires to run a street through your garden, or a road through your field, you have not the power to prevent it. Yet the government must pay you a fair price for your property, and it must not compel you to part with it unless it can be shown that it is for the public good that you should do so.

QUESTIONS FOR ORIGINAL THOUGHT

1. Do all citizens have to pay taxes? Think well before you answer this question.
2. What kind of taxes are paid without those who pay them seeming to know it?
3. Has taxation ever been a cause of war?
4. How are churches supported?
5. Where are duties collected?
6. Is a poll tax a just tax? Is there a poll tax in your State?
7. What is meant by "smuggling"?
8. Is an income tax that exempts all incomes under $1000 just?
9. For what do people pay taxes most cheerfully?
10. How may a city acquire land for a park?

LESSON XIV

SEVERAL TERMS EXPLAINED

"Self-government stimulates the interest of the people in the affairs of their neighborhood, sustains local political life, educates the citizen in the daily round of civic duty." — *James Bryce.*

"A representative government, made responsible at short periods of election, produces the greatest sum of happiness to mankind." — *Thomas Jefferson.*

Self-Government. — In this lesson I wish you to learn the meaning of several words that you often meet with when reading of government. The first word discussed shall be "self-government." This word does not mean exactly self-control or government of self. Let us see what it does mean.

In a family the father and mother govern, the other members obey. The children in a family do not choose their governors, and they do not take part in making the rules of the household. And so it is in the schoolroom. There the teacher governs and the pupils obey. The pupils have no voice in the choice of the teacher, they take no part in making the rules of the school, they cannot set aside the school government. Government is given to them by a power above them. Now, in the government of the town, the city, the State, and the Nation, all this is changed. In these governments the people obey no power

outside of and above themselves; they obey only the laws that they themselves make and the officers of government that they themselves choose. In other words, they govern themselves. Where the whole number of adult male citizens, then, take a part in government, where they make their own laws, lay their own taxes, elect their own rulers, there is self-government. And a dangerous and difficult and precious thing it is. Self-government is the greatest task ever undertaken by men. It was tried by the people of Greece and Rome in ancient times, but through the selfishness and ambition of men it failed. A little more than a hundred years ago, our forefathers undertook the task. By exercising wisdom and forbearance and courage, they succeeded in forming a government that should rest upon the will of the people. This government has come down to us, and is to-day in our keeping. Thus far we have proven ourselves worthy of the trust. We make mistakes, but, take it all in all, we govern ourselves very well. In a few years government will be in the hands of you who are in school. Will you choose to govern yourselves, or will you prefer to have a king, perhaps a tyrant, to rule over you? Could you now for one hour govern yourselves in the schoolroom?

Representative Government. — Where the people who compose a government are few in number, as in some of the cantons of Switzerland and towns of New England, all can meet in a body and discuss public affairs, enact laws, and elect officers. In such governments every citizen has a direct voice in the management of public affairs. Where all the people meet at one place for the

purpose of transacting the business of government, there is said to be a *pure democracy*. The word *democracy* means *government by the people*. But you can see that a large city or a State cannot be a pure democracy, for all the citizens of a large city or of a State cannot meet at one place. How, then, can all the people of a State have a voice in the making of a law, or take part in the management of their government? They cannot take part directly, but they may indirectly in the following way:

A number of citizens may choose one of their number to act in their stead; the citizens of a town or of a county may choose one or two of its citizens to meet with other citizens chosen in the same way from other towns and counties. If there are fifty counties in a State, and the citizens of each county, instead of going themselves, elect two of their number to go to the capital of the State for the purpose of making laws, the lawmaking body of the State will consist of one hundred men. This small body will act in the name of several hundreds of thousands of people, and the laws it passes will be as binding as if they had been passed by all the people coming together in an immense throng. A man who acts in the place of and with the authority of other men *represents* those men, and is called their *representative;* and governments that are conducted by a few people chosen to act in the name of all the people are *representative governments*.

All the governments, with one exception, which we shall study hereafter, are representative governments. Strictly speaking, they are *representative democracies*, that is, they are governments in which the people rule through their

representatives. Citizens who stay at home, and send others to represent them in public affairs, are called the *constituents* of those who are sent. This question is often discussed: Should the representative act according to the wishes of his constituents?

The Three Departments of Government. — In all good and free governments there is a division of power; or, to state the fact in another way, the work of government is distributed among different sets of men. There is one set of men who have the right to make the laws. This is called the *legislative*, or lawmaking branch of government. There is another set of men who decide what the meaning of the law is, who are guilty of breaking it, and what punishment shall follow. These men are called judges, and they exercise the *judicial* power of government. After the legislative department has made a law, and the judicial department has made its decision, a third department enforces the law. This is the *executive* department. The three departments of government, therefore, are, first, the *legislative*, or lawmaking department; second, the *judicial* department; and, third, the *executive*, or law-enforcing department. The government of the home and school have not this division of powers. The teacher may make a rule, decide who has broken it, and punish the offender, thus exercising all three of the powers of government.

QUESTIONS FOR ORIGINAL THOUGHT

1. What countries in the world besides our own enjoy self-government?

2. What is a monarchy? Name some of the great monarchs of the world.

3. Do you think it would be wise to intrust the lawmaking power of the school to pupils? The judicial power? The executive power?

4. What reason can you give for the division of the power of government?

5. Elect one of your schoolmates to represent the school in a spelling contest. One to represent the school in a debate.

6. What is an aristocracy?

7. You will doubtless at some time find people who do not believe in a democracy. What arguments will you advance in its favor?

8. **The Recall.** — In many cities and in several States the voters have reserved for themselves the power to deprive an officer of his office before his term has expired if he does not discharge his duties in the way the voters think he ought to discharge them. This power is called the "recall." Do you think officers should be recalled before their term of office ends? (See *Impeachment*, page 130.)

LESSON XV

TOWN GOVERNMENT

"The town governments of New England proved themselves the wisest invention ever devised by the wit of man for the perfect exercise of self-government and for its preservation." — *Thomas Jefferson.*

Early Town Government in New England. — In New England, after you pass from the governments of the home and of the school, the government that you meet with first, if you do not live in a city, is that of the *town.* Town government is an interesting study even to those who do not live in New England, for it is a very old form of government, and it is one that is best fitted to train men in the practice of citizenship.

If we trace our ancestors back to their homes in England, or further back to their homes upon the continent of Europe, where they first lived, we shall find that the town was their unit of government. A town, or *tūn* (to͞on), in the earliest times was a cluster of farmers' dwellings, barns, and cattle sheds, such as may be seen to-day in many parts of Germany. Around the tūn was either a wall of earth or a dense hedge, and outside, encircling the mound or hedge, was a ditch. The tūn was thus fortified against its foes. In the center of the inclosure, usually under a large tree, was held the *tūn moot,* or meeting of

all the freemen of the tūn. At this moot newcomers were admitted to dwell within the tūn, lands were granted to freemen, "strife of farmer and farmer was settled," laws for the government of the tūn were passed, and officers to execute those laws were elected. In the tūn moot, indeed, were done most of the things that any government can rightly do, and these things were done by the people themselves meeting in a body. Two thousand years ago our forefathers governed themselves in the tūn moot in the wilds of Germany; when they settled in England fifteen hundred years ago they carried the tūn moot with them; and when, nearly three hundred years ago, the Pilgrims landed at Plymouth, they at once came together in tūn moot, or town meeting, for the purpose of transacting public affairs.

The Englishmen who first settled in New England were a very religious people. One of the first things they did in a new settlement was to build a church in some place convenient for all to attend. This church was called a meetinghouse, and this was a good name for it, for it was a common meeting place for all in the settlement. The congregation that met in it on the Sabbath as worshipers would meet in it on a week day as citizens and transact public affairs. Thus government in New England centered around a church. A congregation of churchgoers was organized as a government, and this government was called a *town*. When a town became so large in extent that it was inconvenient for all to attend church, a new church was built and a new town was organized. You rarely find a town in New England so large that a person

cannot with convenience attend a church situated in its center. Every male citizen above twenty-one years of age who attended the church — and everybody was required to go to church — had the right to go to the meeting-house and take part in the town meetings. Voters are no longer required to attend church, but in other respects the town governments of New England to-day are almost exactly like those of the early years of our history.

The Town Meeting. — The most important feature of the town government is the *town meeting*. Once a year all the qualified voters of the town meet together to discuss measures relating to town affairs, and to take action thereon. The meeting is no longer held in a church, but in the *townhouse*, or *townhall*. When the people have assembled, the town clerk calls them to order, and states the purposes for which the meeting was called. A *moderator* is then chosen to preside over the meeting, and business proceeds according to Parliamentary rules. In a town meeting we see pure democracy at work. Instead of sending men to conduct affairs for them, as in a representative government, the people are there in person. Young and old, rich and poor, take part in the proceedings, and any citizen present may exert the full force of his character and influence. Every measure that is brought up is freely discussed and criticised. Those in favor of the measure state their argument for it; those opposed to it state their objections. When the discussion is at an end a vote is taken, and whatever the result may be all present feel that the will of the people has been expressed. All matters relating to the public affairs of

the town are settled. The most important things done are these:

(1) The *rate of taxation* is fixed. Money is appropriated for the schools, for the care of the roads, for the support of the poor, for the salaries of officers, and for other necessary expenses.

(2) *By-laws* are passed for the regulation of local matters. The word *by* originally meant *town;* hence a by-law is a town law. A law passed in town meeting forbidding the use of the sidewalks of the town for bicycling is an example of a by-law.

(3) Town *officers* are elected. It would be impossible for all the people of a town to meet together every day for the transaction of public business. For this reason at the annual town meeting officers are elected to manage the affairs of the town in the name of the people for one year.

Town Officers:

(1) *The Selectmen.* — The general management of town affairs during the year is placed in the hands of three, or five, or seven, or nine citizens, called *Selectmen.* These officers carry into effect the measures passed at the town meeting. They supervise the laying out of roads; they grant licenses; they care for the poor; they take measures to abate nuisances, check the advance of contagious diseases, and otherwise preserve the health of the town; they listen to complaints against the management of town affairs; they represent the town in court when it is sued; they make out the warrant when a special town meeting is to be called.

(2) *The Town Clerk.* — This officer has numerous duties. We have seen that it is he who calls the town meeting to order. He must always be present at a town meeting, and keep a record of the proceedings. In addition to this he keeps a record of the births, marriages, and deaths in the town, and grants certificates to those wishing to marry. In fact, most matters of town record are in his keeping.

(3) *Assessors.* — The duty of these officers was spoken of under the subject of taxation. They make out a list of the taxpayers of the town, and place an estimate upon value of their property. The selectmen themselves may act as assessors, or they may appoint men to act in their stead.

(4) *Tax Collectors.* — These officers also have been mentioned. They take the list made out by assessors and gather the taxes from the people.

(5) *Town Treasurer.* — The duties of this officer have been described in Lesson XII. The treasurer cannot pay out any money from the treasury without an order from the selectmen.

(6) *Overseers of the Poor.* — These officers have charge of the town almshouse, and they give relief to the deserving poor.

(7) *The School Committee.* — The duties of this committee have been described in your study of the government of the school. In large towns where there are a number of schools the School Committee, or Board of Education, appoints a Superintendent of Schools. This officer devotes his time to grading the schools properly,

and trying to improve them by giving aid and counsel to the teachers.

(8) *Constables.* — These are peace officers, and every town has one or more of them. They arrest for crime, and assist the selectmen in executing the law. In some towns the constables serve as tax collectors.

(9) *Surveyors of Highways.* — These officers inspect roads and bridges, and are responsible for keeping them in repair.

(10) *Fence Viewers.* — These officers settle disputes that may arise between neighbors about partition fences or walls.

(11) *Field Drivers.* — When cows, or horses, or other animals are found wandering about the town the field driver puts them into a pound, and keeps them until their rightful owner is found.

This list of officers is not complete, yet it is long enough to show that a great many people take part in the government of a town. It is quite possible that there are towns in which there is hardly one intelligent citizen who has not sometime in his life held public office. This general participation in the business of government does much to make the people of New England a most wide-awake and progressive body of citizens.

Nothing has been said in reference to the administration of justice in a New England town, for the reason that justice is rather an affair of the State than of the town; and what you need to know on this point will be explained when we come to describe the judicial department of the State government.

One thing about town government not yet mentioned deserves particular attention. In New England, towns have the honor of being represented in the legislature of the State. In the other States of the Union representatives to the State legislature are sent by counties.

QUESTIONS AND DIRECTIONS FOR WORK

1. A special town meeting may be held upon a warrant from the selectmen. Obtain from the town clerk a copy of such a warrant, and, following the form used, make out a warrant for calling a meeting to discuss the question of establishing a town library. Organize your class as a town meeting. It would be wise to elect your teacher as moderator. Discuss, as in a town meeting, the following topics:

(*a*) Advantages of a public library.
(*b*) A good location for a library building.
(*c*) The probable cost of the library.
(*d*) Whether public sentiment favors a library.

After a full discussion vote upon the question.

2. What kind of men make good selectmen? What should be the qualifications of a good town clerk?

3. What are the boundaries of the town in which you live? When was your town organized? Is there a church near its center?

4. Make out a list of the names of all who now hold town offices.

5. Should boys and girls be allowed to take part in town meetings? Are they represented there?

6. In what things should a town try to excel? In what does your town excel?

7. How much money is raised by taxation in your town? What is the tax rate? Is this higher or lower than the rate in neighboring towns?

LESSON XVI

THE COUNTY

"The Virginia county was the most perfect reproduction of the English shire to be found in America." — *Macy*.

The Virginia County. — If you live on a farm, or in a small village that has no government of its own, the government that you will take the most direct interest in will be either that of the county, or that of the town, or that of the township. If you live in a Southern State or in a Western State, the government that will come closest to you in your daily life will be that of the county.

County government, like town government, was brought to America from England. In earliest times England consisted of many independent kingdoms, each ruled by its own king. When war arose between two kings, — and war was constantly arising, — the conqueror took possession of the conquered kingdom and made of its ruler an under king. In the course of time all the small kingdoms were brought under the rule of one king — the king of England. The under kings remained at the head of their little governments, but their rank and their power were gone. They were no longer kings but *counts*, or assistants of the king, and the land they governed were *counties*. The business of the county government, principally, was to hold the county court and to collect taxes for the king.

When the Virginia colonists settled at Jamestown, in 1607, they found it convenient to organize new settlements as counties, after the manner of those in the old country. In the center of the county was held the County Court. The place where the court was held became the county seat, or *capital* of the county. In every county seat there was a building known as the courthouse, where most of the business of the county government was transacted. The county government in Virginia and other Southern colonies was quite different in olden times from what it is to-day. But in several respects it was like the county government of to-day. First, it was a representative government. The public business of the county was not managed by the people directly, as in a New England town, but by officers who acted in the name and in the place of the people. Second, it was the county in Virginia that sent representatives to the Colonial Legislature, just as to-day, in Southern States, it is the county that sends representatives to the State Legislature. Third, the colonial county, like the county of our own time, had its county seat and county courthouse. We shall now learn something of the government of the county as it is found in the Southern States.

County Officers :

(1) *The County Commissioners.* — Most of the public business of the county is done by a Board of County Commissioners. This Board consists of three men — sometimes of a larger number — elected by the people of the county to serve for a term of from one to four years.

The powers and duties of the County Commissioners are regulated by the laws passed by the Legislature of the State. The powers usually exercised by the Commissioners are these:

(1) They fix the rate of taxation for the county.

(2) They appoint assessors, tax collectors, road supervisors.

(3) They make contracts for repairing old roads and opening new ones, and also for building and repairing bridges.

(4) They make contracts for building and repairing public buildings, such as courthouses, jails, and almshouses.

(5) They appropriate money for the support of schools, for the payment of salaries of county officers, and for all necessary expenses of county government.

(6) They represent the county in the courts when it is sued for damages.

(2) *The Sheriff.* — In England a long time ago the sheriff was the most powerful officer in the county. In modern times, however, his power is not so great either in England or in this country. Nevertheless, the sheriff is still an important officer of the county. He has been called the "arm of the judge." This means that he carries out the orders of the judge. If the judge orders a man to be taken to prison, the sheriff takes him; if he orders property to be sold, the sheriff sells it; if he sentences a man to be hung, the sheriff hangs him. It is the duty also of the sheriff to preserve peace and order. If there is a riot, it is the duty of the sheriff to quell it.

When necessary, the sheriff may call to his aid *deputies* or helpers. In times of great danger or disturbance, the sheriff may call to his aid the *posse comitatus*, that is, every able-bodied man in the county. The sheriff lives at the county seat and has charge of the county jail and of its prisoners.

(3) *The Clerk of the County Court.* — Any court above a police court, or above that of a justice of the peace, is a "court of record"; that is, its proceedings are enrolled in permanent form. The county court is a court of record, and the man who keeps its records is called the *Clerk of the Court.* This officer is a kind of secretary to the judge. He writes out an account of trials and keeps a record of the judgments of the court. Besides this, he keeps a record of deeds and mortgages given in the county, issues marriage certificates, and records all births and deaths. He is elected by the people.

(4) *The Probate Court.* — It is usual for a county to elect three men as *Judges of the Probate Court.* It is the business of these officers to examine the wills of deceased persons and decide whether they have been made as wills by law ought to be made. When a person dies without having made a will, and leaves no one to take charge of his estate, the Probate Court will appoint an *Administrator* to take charge of it. When a child is left without father or mother, the Probate Court will appoint a guardian who will manage the estate until the child comes of age. In general, the business of the Probate Court is to see that the property of the dead falls into rightful hands.

(5) *Register of Wills.* — Closely connected with the work of the Probate Court is the work of the *Register of Wills.* This officer keeps copies of all wills approved of by the Probate Court.

(6) *Tax Collectors.* — A county is divided into districts of convenient size for the purpose of holding elections, registering voters, and collecting taxes. For each district a collector of taxes is appointed.

(7) *The County Treasurer.* — The several collectors of taxes send the money which they collect to the County Treasurer. The treasurer pays out as well as receives all money raised by taxation. He must give bond for the faithful and honest performance of his duties. If he steals any of the public money, his bondsmen are bound to make good the loss.

(8) *The Auditor.* — Sometimes the county elects an *Auditor*, whose duty it is to examine the books of the treasurer and other officers, and report whether the public accounts are properly and honestly kept.

(9) *The Coroner.* — When a person is murdered, or is found dead, or dies mysteriously, there ought to be some officer to take charge of the body of the dead person, and to inquire at once into the cause of the death. Such an officer is the *Coroner* — usually a physician. If you should ever come upon a dead body do not disturb it, but notify the coroner as quickly as possible. If he thinks that there has been foul play, he will summon six or twelve men to act as a coroner's jury, and an examination will be made. Witnesses will be summoned, and the jury, after hearing evidence, will state in writing what they think has been

the cause of the death. This is called holding a "Coroner's Inquest."

(10) *The State's Attorney.* — This officer, elected by the people, is a lawyer whose duty is to give legal advice to county officers, and to appear in the County Court at the trial of one who is charged with crime and present the side of the State. If the evidence goes to show that the accused is guilty, it is the business of the State's Attorney to do all in his power to secure the conviction of the offender. A faithful State's attorney is a terror to criminals. This officer is sometimes called a District Attorney, or Prosecuting Attorney.

(11) *The School Board.* — When we were studying about schools we learned that each school was governed by its Committee, or Board of School Trustees. Above these committees, and in some degree governing them, is the *County School Board.* This body sometimes appointed, sometimes elected, has the general management of the schools of the county. It regulates in whole or in part the salaries of teachers; it grants certificates to those who are competent to teach; it sometimes makes out the course of studies that pupils are to pursue; it provides for the health and comfort of teachers and pupils.

(12) *The Superintendent of Schools.* — The executive officer of the school board is the *County Superintendent of Schools*, or Examiner. He sets the examinations for teachers, visits the different schools of the county, and reports their work to the school board; he grades the work of the schools and devotes his time to improving them in every way he can.

QUESTIONS FOR ORIGINAL THOUGHT

1. Bound accurately the county in which you live. When was it organized? How came it by its name? What is its area? Its population? Its county seat? What are its largest villages? Is there a city situated in it?

2. There are a few other county officers besides those named in the lesson. Name them and describe the duties of each.

3. Explain the difference between the words *elected* and *appointed*. Make out a list of county officers who are elected, and a list of those who are appointed.

4. A sheriff of a county and his deputies fired upon and killed twenty men. Under what circumstances would you think the sheriff did right?

5. What qualifications should a sheriff possess? A register of wills? A State's attorney? A county treasurer? A superintendent of schools? As far as you know, are the officers of your county chosen on account of their *fitness* for office?

6. Are you proud of your county? If so, for what reasons?

7. Which is likely to have the better government, a New England town or a Southern county?

8. Draw a map of your county, locating its county seat, and its chief towns and villages.

LESSON XVII

THE TOWNSHIP

"The Western township has sprung out of the school as the New England township has sprung out of the church." — *Woodrow Wilson.*

The Nature of Township Government. — In the Middle Atlantic States and in those great Western States that have been settled by emigrants from the Middle States, such as Ohio, Indiana, Illinois, the government that comes closest to the door of the citizen is that of the township. A *township* is a small portion of a county in which the people exercise some of those powers of government which are exercised by the town in New England and the county in the Southern States. Township government, therefore, lies halfway between town government and county government. In New England the people of a town (by which we mean the people of a small neighborhood) have nearly all the powers of government in their hands, and very little is left for the county to do. In a Southern county the people of a small community exercise almost none of the powers of government; everything is done by the county. Now in a township a few of the powers of government are taken from the county and given to the people of a small neighborhood. The things done by the township government are usually three: it supports public schools, it cares for the roads, and it helps the poor.

Of course it collects taxes with which to pay for these things.

Officers of the Township. — Township government is not the same in all States. In New York and Michigan the township is almost a pure democracy; it has its yearly meeting of all the citizens, at which all officers are elected and by-laws passed. As a rule, however, the township is a representative government. It derives its powers from laws passed by the Legislature of the State. The officials chosen by the people for the government of a township are as follows:

(1) *Supervisors* (sometimes called *Trustees*). — These officers, two or three in number, are elected every year. Their duty is to take care of the roads and bridges, erect and keep in repair guide-posts and watering troughs, and plant shade trees along the roadside. They may build and keep in repair a *townhouse*, in which elections may be held and officers of the town may transact the public business.

(2) *School Directors.* — Every township has its Board of School Directors, or School Trustees. These officers, elected annually by the voters of the town, have control of the public schools within the township. Their powers and duties have been stated in a previous lesson. (Pages 30, 31.) In some States the Directors of all the townships in a county meet every second or third year and elect a Superintendent of Schools for the county.

(3) *The Township Clerk.* — This officer is a secretary for the supervisors. He keeps the records and accounts of the township. When stray animals come into the township, the clerk writes out a description of them and assists

in restoring them to the rightful owner. Very often the clerk is not an important officer.

(4) *The Assessors.* — The duty of these officers as assessors of taxes has already been explained. (Page 62.) Sometimes the assessors of the township act as registrars of voters; that is, they make out a list of the names of all citizens having the right to vote and present it to the judges of elections. They also keep a record of all births and deaths in the township.

(5) *The Tax Collector.* — This officer collects the road and school taxes of the township and places them in the hands of the proper officer, the supervisors getting the road tax, and the school directors getting the school tax. (For powers and duties of a tax collector, see page 63.)

(6) *The Auditors.* — These officers examine the accounts of other officers of the township to see that all money has been properly and honestly expended.

(7) *The Justice of the Peace.* — We shall speak of this officer several times in our study of government. It is sufficient here to say that he holds court on a small scale; he acts as a peacemaker between his neighbors in their petty disputes; he administers oaths; he performs the marriage ceremony; he issues search warrants. He is usually appointed by the Governor of the State. A justice of the peace may hold court in any township of a county.

(8) *The Constable* acts as a policeman or peace officer of the town. When a disturbance arises, it is his duty to suppress it. "The most common duty of a constable is to serve writs and warrants as directed by a justice of the peace. A *writ* is a notice in a civil case to the defend-

ant to appear before the justice for a hearing. It must be served by reading it to the defendant, or by leaving it with his lawyer or some adult member of the family. A *warrant* is an order for the arrest of one accused of a crime. When a warrant is placed in a constable's hands, he must arrest the accused person and take him before the justice; if the accused is committed to jail the constable must take him there."[1]

(9) *Overseers of the Poor.* — These officers attend to the needs of the poor. When there is no poorhouse in the county, the township supports the poor by sending them provisions to their homes or paying some one to provide for them. The overseers may lay a tax for the support of the poor of the township.

(10) *Election Officers.* — These are judges of elections and clerks. Their duties have been explained in Lesson X.

QUESTIONS FOR ORIGINAL WORK

1. How many townships in the county in which you live? Name them.

2. Bound the township in which you live. What is its population? Draw a map of it, locating the townhouse. Locate any villages that it may contain.

3. What is the rate of taxation in your township? How does this compare with the rate of adjoining townships?

4. Are the officers of your township elected by ballot, or by the people assembled in town meeting?

5. In some States the supervisors of all the different townships of a county act as a board of county commissioners for the management of county affairs. Is this the case in your State?

6. Are women allowed to vote for school directors in your township?

[1] Shimmell's "Pennsylvania Citizen," p. 18.

LESSON XVIII

VILLAGE AND CITY GOVERNMENT

"Cities have preserved human liberties." — *F. N. Thorpe.*

Importance of the Subject. — In this lesson and in the next we shall speak of village and city government. The subjects of village (or borough) government and city government will be carried along together, for villages and cities are governed in very much the same manner. A village is simply a small city, and a city is a large village. If you live in a city, it is of special importance that you learn all you can about city government, for you will sooner or later discover that much of the comfort and happiness of your life depends upon the ways the affairs of your city are managed. A well-governed city is one of the best places in the world for one to live in, while a badly governed city is one of the worst places. If when you are grown you will try to make the government of your city better, your efforts may be richly rewarded, for you may be the cause of making the lives of thousands of people happier.

The Beginning of a City. — There is an old saying that "Rome was not built in a day." This is true of all cities. The miles of streets and the grand buildings you see around you in a city were not built in a day. A city

begins with one building, perhaps a flourmill, or a sawmill, or a farmhouse, or a rude shed for cattle. Let us try to follow in our imagination the growth of a city. Let us suppose the first building is a sawmill built in a forest of fine timber. Soon after the mill is built its manager builds a home for himself and family. In a short time rows of houses are built as dwellings for the men who work in the mill and for those who cut down the trees. These rows of houses are the beginnings of streets. The families who dwell in these houses must be supplied with groceries and other necessaries; hence it is not long before a merchant comes and erects a building for a store. The horses that haul the logs must be shod and the wagons repaired; hence a blacksmith shop and a wheelwright shop must be built. A railroad is built near the settlement, and this brings a station and a station master. The place must now have a name. A natural name for it would be Millville. Let us call it that. Millville is prosperous, and many who wish to join in its prosperity are attracted to it. The doctor and the druggist, the shoemaker and the carpenter, with their families, come to try their fortunes. Soon a schoolhouse is built, and a church and a house for the preacher. Another mill is built. This means more workmen and more merchants. Now come the tailor, the seamstress, the music teacher, the barber, and baker, and many others. Millville has a thousand inhabitants. But it has no separate government. It is governed precisely as the more thinly settled region around it is governed. It pays a large share of the taxes of the county in which it is situated, yet it gets but

little return for the money. In the spending of the taxes but little attention is given to its needs. It needs street lamps, sidewalks, sewers, waterworks, policemen, firemen. It also needs certain powers of government that are necessary wherever a large number of people live together. As it is, in Millville each person acts in reference to his neighbor's comfort pretty much as he pleases. He paves the sidewalk in front of his house, or does not pave it, as best suits him; he helps to buy oil for the street lamps, or he refuses; if he sees fit, he may throw garbage into the street, and commit other offenses against the health of the town: there are no officers and no laws to hinder him. When there is a drunken row, there are no officers to arrest the offenders.

In order to change this state of things, and make Millville a safer, cleaner, and more beautiful place in which to live, its inhabitants get for it a special government. The people of the settlement organize as a *village*[1] (or *borough*). They apply to the Legislature of the State or to the judge of some court, and get a *charter*, which gives them the right to village officers and village laws and privileges. What these officers are called and what are their powers it is not necessary to state here. If you live in a chartered village, get a copy of your village charter and study it. You can learn from the charter all you need to know about your village government. It is enough to say here, that under their charter the citizens of Millville begin the business of governing a village.

[1] What is spoken of in this lesson as a village is in the Southern States usually called a *town*.

A police officer is employed, a fire engine is bought, sewers are laid, streets are paved, a better schoolhouse is built. To pay for all these things village or borough taxes are levied upon the property holders.

Under its new government Millville is stirred with new life. More mills are built; large factories employing hundreds of people are set in operation. The population rapidly and steadily increases. In the course of time, instead of having a thousand inhabitants, it has come to have many thousands. It is now found that the village form of government does not suit such a large place. The powers that are granted to the village by its charter are too few and too small. Millville has become a city, and it must have a government suitable to a city.

Charters. — We have seen that when a community wishes to organize as a village, or borough, the citizens secure a *charter* which gives them the right of establishing for themselves a village government. In much the same way, when a village grows to be a city in size, the citizens secure from the State a charter which gives them the right of forming a city government. In some States, when a village reaches a certain population, the law gives it a charter, and it becomes a city simply by reason of its size. It will be well for you at this point to get a clear notion of what a charter is. The word *charter* comes from the Latin *carta*, which means *paper*. A charter is a written or printed document, conferring certain rights and privileges upon the persons to whom it is granted. Thus a charter may be granted to a company of men, giving them the privilege of building and operating a

railroad; or one may be granted, giving the right of founding a college. Both the railroad company and the college will conduct their business under their charter. The charter will tell them just what they may do, and they must not do more than this. A city also, as has been said, is governed under a charter granted by the State. The parties to whom the charter is granted are all the male citizens of the city above twenty-one years of age. In our next lesson we shall see what kind of government a city usually enjoys under its charter. If you wish to understand the government of a city, by all means get a copy of its charter and read it.

QUESTIONS AND SUGGESTIONS

1. Obtain a copy of your village (or borough) charter, and examine it for answer to the following questions:

a. When was the charter granted?
b. By what authority was it granted?
c. What is the title of the executive officer of the village?
d. What is the governing body called? What are the powers of this body? How often does it meet?
e. Are the officers of the village elected or appointed?
f. What powers of taxation does the charter grant? Could the people of the village be taxed to build a bridge costing $50,000? One costing $5000?
g. Who are entitled to vote at village elections?
h. What are the boundaries of the village?

2. What improvements are needed in your village? Can they be secured under the terms of the charter?

3. Have you seen villages much more attractive than the one in which you live? What makes a village attractive?

4. Are the officers of your village slow and old-fashioned, or progressive and modern, in their ideas?

CITY GOVERNMENT (Continued)

"The modern city has come to be a huge corporation for carrying on a huge business with many branches."—*John Fiske.*

The City Council.— You find that the charter of your city provides for a government with a division of powers such as was described in a previous lesson. It provides for a legislative or lawmaking department, for a judicial department, and for an executive department. The laws of a city are made by a body usually called the *City Council;* sometimes this body is called the *Board of Aldermen.* The city is divided into wards, and the voters of each ward elect one or more councilmen to represent them in the City Council. If there are twenty wards in the city, the Council will consist of twenty, or forty, or sixty members, according as there are one, two, or three members from each ward.[1] These councilmen meet in the *City Hall,* and make laws for the government of the city. The laws that a City Council makes are called *ordinances* An ordinance, then, is a city law. These ordinances of the Council relate to almost everything that concerns life in a city. There is not room here to speak of all the things done by a City Council; a few of the things done by it, however, may be mentioned.

When you are born, the City Council requires that your

[1] In cities under the "commission" form of government, the council consists of a few men elected by the whole city, and has both legislative and executive powers.

name be registered in the book of births; when you are old enough to go to school, it provides for you schools and teachers and, sometimes, books; if your parents are too poor to support you, it will help you with food and clothing; when you go out from your home, you walk upon streets paved and cleaned and lighted by the Council; if you should be attacked, its policemen will arrest your assailant; if you wish to engage in some business, it will probably demand of you a license; if you wish to build a home, you must first get from it permission to build; if your house takes fire, its firemen come rushing to put the fire out. The Council provides for the removal of garbage from your yard; it employs men to inspect the quality of your food and drink; it provides parks and open squares where you may get a breath of fresh air and a glimpse of nature; it causes to be brought into your house a supply of fresh water, and it provides sewers to carry impure water away from your house; if in your old age you shall be infirm and poor, the Council will care for you in its asylums; at last, when you shall die, it will grant a permit for your burial, and the fact of your death will have to be registered in its book of deaths.

Thus from birth to death the acts of the City Council affect your lives. How important then it is that that body should be composed of honest and intelligent men! How tireless should be the efforts of voters to secure the election of such men! Remember this: If you succeed in getting honorable, wide-awake men in your City Council, you will have a well-governed city. As far as you know, have you such men now in your City Council?

The Mayor. — The executive power of the government of a city is given to an officer called the *Mayor*. The Mayor is elected by the votes of the people for a term varying from one to four years. His duty is to carry into effect the ordinances of the City Council. In most cities the Mayor can *veto* an ordinance of the Council. This means that he can forbid the passage of such an ordinance — *veto* meaning *I forbid*. When an ordinance is vetoed, it is generally sent back to the Council and voted upon again, and if it is passed again by a two-thirds vote, it is a lawful ordinance and must be enforced, notwithstanding the Mayor's objection. Another duty of the Mayor is to appoint many of the officers who conduct the business of the city. The business of a city is very great, much greater than that of any government that has been yet studied, and it takes almost an army of men to transact it. The work of the city is done by departments. These are: The department of police, the department of health, the department of taxes, the fire department, the department of streets, the department of education, the department of elections, and other departments. In many cities the heads of these departments are appointed by the Mayor, but the appointment has usually to be approved by the City Council. Many people believe that the Mayor ought to have the right to appoint the heads of the departments without submitting his choice to the City Council. They think this would give the Mayor an opportunity to choose better men. Unless he has this full power of appointment, he is compelled to appoint only such men as are acceptable to the Council, and when a bad appointment is made, the

Mayor excuses himself by saying it was the best the Council would allow him to make. What is done in each department is summed up in a written report and is sent to the Mayor and City Council. If you wish to study city government thoroughly, you must study these reports of the departments as well as the city charter.

City Courts. — If the City Council should pass an ordinance forbidding the explosion of firecrackers upon the street, it would be the duty of the Mayor to enforce it. This he would do through the policemen, but not through the police alone. Any one accused of violating the ordinance would first be taken to a police court, and there be tried before a police justice for the offense. If the accused person was found guilty, he would then be handed over to the executive department for punishment. When a person is accused of some very grave offense, as of arson, or murder, his trial is conducted in the *Criminal Court* of the city. Here he may have a trial by jury. What is meant by a "trial by jury" will be explained hereafter. Besides the police court and criminal court, there is in a large city, another court, usually called the Court of Common Pleas. This court tries cases when the dispute is concerning property or money, or where a question of damages is involved. These courts — the Police Courts, the Criminal Court, and the Court of Common Pleas — are the judicial department of the government of a city.

What a City Government should Do. — We have described briefly the three parts of a city government, and have spoken of a few of the things a city government does. Should the city attempt to do more than it usually does?

It supplies the people with water; should it supply them with gas also? Should it own and operate the electric cars? It provides children with an education; should it provide them with a midday lunch also? Should it furnish the music for the parks? Should it own and operate the telephone? Should it lay pipes and supply heat to families? These are a few of the questions you will be called upon to answer when you become voters. You cannot answer them intelligently now; but if you will begin to study them now, when the time comes for you to vote and act, you will not vote and act like blind men.

QUESTIONS AND SUGGESTIONS

(For Pupils who live in Cities)

1. In what county is the city in which you live situated? When was it organized? What are its boundaries? What is its population? What are its industries? Can a city be situated in a town?

2. How many wards in your city? In which ward do you live? Bound the ward in which you live. How many councilmen or aldermen does each ward in your city send to the City Council? What are the qualifications of a good councilman? Name the councilmen who represent your ward.

3. Let a pupil obtain a copy of the report of the police department and describe its work. The report will show how many policemen are employed, what are their salaries, the number of arrests made, the causes for which the arrests were made, and other interesting facts. Reports of other departments may be similarly studied.

4. How does the rate of taxation in your city compare with that of other cities of equal size?

5. What is the amount of the debt of your city?

6. Does your city own its gas and electric light plants?

7. Has your city the reputation of being well governed?

8. What are the qualifications of a good Mayor?

9. How may children help the cause of good city government?

LESSON XX

THE STATE

"States make up the mass, the body, the organic stuff of the government of the country. To them is intrusted our daily welfare."

— *Woodrow Wilson.*

The Thirteen Colonies. — In speaking of the government of the city and town and county, we have now and then spoken of a larger government that is above these and that holds these together. This larger government is the State, and it is the State we are now going to study. We may best begin the study of the State by glancing at the history of State government in the United States.

At the outbreak of the Revolutionary War, the three million Englishmen who lived along the coast of the Atlantic occupied thirteen distinct and separate colonies, — Massachusetts, New Hampshire, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia. These colonies were all dependent upon the English government; their inhabitants were subjects of the English king. But England was three thousand miles away, and it took, in those times, many weeks for a vessel to cross the Atlantic. As a result of this wide separation, England could not govern an American colony in the same way that she governed one of her counties at home.

A colony in many things was allowed to govern itself. It elected its own lawmakers, it appointed its own judges. Rhode Island and Connecticut even elected their own Governors, and thus exercised the three powers of government, — the legislative, the executive, and the judicial. Aside from the tie that bound it to England, a colony had no other ties. Each colony was independent of all the other colonies. Pennsylvania had no more to do in the way of government with its neighbor Maryland than it had with Prussia. Likewise each colony had a different history. Virginia had grown by joining to herself, from time to time, the counties that were formed as new tracts of land were brought under cultivation. The *county*, therefore, was of great importance in Virginia. Massachusetts had been formed by joining together two colonies that had consisted each of a number of towns. For this reason the *town* was the most important feature in the colonial government of Massachusetts. Maryland had been developed in much the way a wise landlord would develop an immense tract of farming land. Connecticut and Rhode Island, as we have seen, were so free that they were almost independent republics. Thus it came about that at the time of the Revolution the thirteen colonies were not only independent of each other, but they differed from each other in the character of their governments.

The Thirteen Original States. — After the Revolutionary War had brought victory to the Americans, each colony found itself a free and independent nation, — a State. Instead of thirteen English colonies, there were thirteen American States. We shall see hereafter, how, after

much trouble, the thirteen States joined and formed the United States. At present let us try to grasp the idea that when the colonies had gained their freedom, each colony was then free to govern itself. Indeed, each colony was compelled to govern itself, for there was no longer any king or parliament for it to look up to. As quickly as possible after the Declaration of Independence, the people of each colony took up the difficult task of self-government. The first thing to be done was to change the colonial government into a State government. This was done by representatives of the people of a State coming together in convention and agreeing on a plan as to just how the State was to be governed. This plan was written out and submitted to the people for ratification, and was called the Constitution of the State. Each colony made for itself a constitution that suited best its own wishes and its own needs. The constitution of Virginia differed from that of Massachusetts, because the needs of Virginia were different from those of Massachusetts. You must not suppose that the new State government that was formed differed very much from the old colonial government. The people of a colony, after many years of hard experience, had built up the kind of government they liked best, and they had become used to obeying certain laws and observing certain customs. Now it is not possible — and you should think of this when you hear new schemes of government proposed — it is not possible for a people suddenly to make a complete change in their laws, customs, and habits. So the new State governments were necessarily very much like the old colonial govern-

ments. The colonies of Connecticut and Rhode Island did not form a new government at all. The old charters granted to them by England were taken as Constitutions for these two States.

The State governments differed from each other in many respects, yet they were alike in many respects. Thus every State elected a Governor for a short term of years. I suppose if a State had so desired, it could have chosen some one as its king. But none of them did this. They had had enough of kings. Again, in every State the powers of government were divided into the legislative, executive, and judicial departments. The common law of England was also declared in all the States to be the law under the new order of things. It was natural that the governments of the different States should bear a strong resemblance to each other. The people of the colonies, from New Hampshire to Georgia, were nearly all the same in blood and speech; they were nearly all Englishmen, and had English notions of government and law.

The Admitted States. — In 1788–1790 the thirteen original States united under the Constitution. It was not long before other communities outside of the present boundaries of the original States wished to join the Union. Each was allowed to do this as soon as it had grown large enough in population and after it had adopted for itself a constitution that was acceptable to Congress. When these requirements were fulfilled, the new community was admitted to the Union as a State. Vermont was the first new State admitted. This was in 1791. The next year Kentucky was admitted; and so on from time to time

until thirty-five new States have been admitted into the Union, making forty-eight in all. The last to be admitted was Arizona.

The governments of the admitted States were modeled after those of the older States.

It is plain that the younger States have had an advantage over the older ones in the matter of making laws for themselves, for they have been able to select those laws of the older States that experience has shown to be good, and they have been able to avoid making those laws that experience has shown to be bad.

SUGGESTIONS FOR ORIGINAL WORK

1. Bound the State in which you live. Is it one of the original States? If it is not, when was it admitted into the Union?

2. What is the origin of the name of your State? What is its nickname? What is the origin of its nickname? What is the population of your State?

3. How many States have a greater population than your State? What is the area of your State? How many States have a greater area? How many States as large as the smallest State in the Union could be made out of the largest State in the Union?

4. If you live in one of the admitted States, learn from what State the first settlers in your State came and compare your State with the parent State, in reference to (*a*) government, (*b*) religion, (*c*) occupation, (*d*) political parties.

5. Name the territories.

LESSON XXI

THE STATE CONSTITUTION

"In the American State the legislature is not supreme, but has limits to its authority prescribed by a written document known as the Constitution." — *John Fiske.*

Meaning of the Word "Constitution." — You have met with the word *Constitution* several times already, and, since you will meet with it many times hereafter, you ought to try to understand clearly what it means. The word comes from *constituo*, a Latin word which means *fix, establish, settle.* The constitution of a debating society is a set of fixed rules by which the society is to be permanently governed, and from which it cannot rightfully depart. The constitution of a State is a document containing those *fixed* principles and rules by which a State must be governed, and from which neither the Governor, the lawmaker, nor the judge may depart. The constitution may be called the *fundamental* law of the State, because it is the foundation upon which all laws are built, just as the foundation of a house is the part upon which all the other parts rest. Think of a constitution as the foundation plan upon which a system of laws may be built.

Description of a State Constitution. — I have before me the constitution of the State in which I live, and I will attempt to describe it to you very briefly: It begins with

a *Declaration of Rights.* It declares that a people have the right to govern themselves; that all citizens have a right to a trial by jury; that the Governor, the judges, and the lawmakers are responsible to the people for their actions; that all male adult citizens have the right to vote; that the legislative, executive, and judicial powers of government shall be separate; that there shall be freedom of speech and debate; that no one shall be compelled to give evidence against himself in a court of law; that the press shall be free; that no title of nobility shall be granted; that a man's religion shall not be made a test for holding office; that the people have in themselves the right to form a new government. After declaring these and some other rights, the constitution takes up the *executive* department of government. It states who may be elected Governor, how and when he may be elected, how long he shall serve, and what are his powers and duties. The powers and duties of other executive officers are also defined. After the executive we come to the *legislative* department. We are told what shall be the name of the Legislature, how it shall be composed, who may be its members, where it shall meet, how a law shall be passed, and, in a general way, what kind of laws shall be passed, and what kind may not be passed. (Thus it states that the Legislature shall pass no law suspending the writ of *habeas corpus*. See p. 42.) After the legislative comes the *judicial* department. The qualifications, duties, and powers of judges are explained, and the boundaries of the different judicial circuits are defined. Last of all come the *miscellaneous* provisions. These

relate to education, corporations, public debts, taxation, and amendments. The constitution altogether would make about forty pages of this book. There are forty-eight States, and each State has its own constitution and no two constitutions are alike, but all the State constitutions have a strong resemblance to the one that has been described.

How the Constitution of a State is Made. — The constitution of a State is made by a body of men who are chosen to make a constitution and to do nothing else. This body is called the *Constitutional Convention.* This Convention is composed of delegates elected by the people of the counties and cities of the State. In this Constitutional Convention the needs and wishes of the people of the State are discussed, and a constitution is carefully drawn up. After a constitution is agreed upon by the Convention, it is submitted to the people to be voted upon. If a majority of the popular vote is cast for it, it stands as the constitution — the fixed plan of government. If it does not receive a majority of the votes, no further attention is paid to it; the work of the Convention was in vain. If the people reject a proposed constitution, they must live under the old constitution until another Convention is called, and a constitution is framed that will suit them. In recent years there have been Constitutional Conventions that have not submitted the constitution to the people to be voted upon. In nearly all the States, however, a constitution must be voted upon and adopted by the people before it is the law. Is it best to let the people vote upon the constitution of their State?

How a Constitution is Changed. — We have called the constitution the fixed, unchanging plan of government. But it would not do for a constitution to remain unchanged and unchangeable forever. It sometimes happens that a plan is good at one time and yet bad at another time; and a constitution that might have been good and wise in the year 1800, may, by the year 1900, have become foolish or harmful. If, then, there is something in a constitution that ought not to be there, or if something ought to be there that is not there, how shall a change be made? The answer is: *By amendment;* the constitution is *mended* where it is weak. This is done as follows: The Legislature of the State passes the amendment, which it thinks ought to be inserted in the constitution, and then submits the amendment to the people to be voted upon, for or against. If it gets the requisite number of the votes of the electors, the amendment becomes a part of the constitution. In some States, it is difficult to secure an amendment to the constitution on account of the difficulty of getting it passed by the Legislature. Thus, in Georgia before an amendment can be submitted to the people it must first pass in two successive legislatures, both times by a two-thirds vote, before it can be submitted to the people. But in some States an amendment can now be proposed either by the Legislature or by a certain percentage of the voters signing an initiative petition.

When an entirely new constitution is desired, a new Constitutional Convention must be called. This is usually done as follows: The Legislature submits to the people the question, whether they wish a new Constitu-

tional Convention or not. If the people vote *yes*, the Legislature provides for the election of the delegates to the Convention. The election is then held and the elected delegates meet in convention, make a new constitution, and submit it to the people to be voted upon, as has been explained. You see that a constitution is adopted directly by the votes of the people. It is not adopted by the representatives of the people: it is very nearly the work of a pure democracy.

"Constitutional" and "Unconstitutional." — You will often meet with these words in your reading. What do they mean? Constitutional means in accordance with the constitution. If an act of an individual, or of an officer of government, or a law of the Legislature, does not conflict with anything that is found in the constitution, that act or law is constitutional. "Unconstitutional" means, of course, *not* constitutional. This seems at first sight very easy and hardly worth mentioning, but in reality it is sometimes very difficult to tell whether an act or a law is constitutional or unconstitutional. Whether it is or not, must be decided by the judges of the State.

QUESTIONS AND SUGGESTIONS

1. Get a copy of the constitution of your State, and examine it for answers to the following questions:

(*a*) When was the constitution adopted by the people?
(*b*) About how many pages of this book would it make?
(*c*) What are the principal rights declared?
(*d*) Are there any amendments to the constitution as it now stands? If so, when and why were they adopted?
(*e*) What provision of the constitution seems to be the most important?

(*f*) Do you find anything in the constitution that you would like to see changed?

(*g*) How would you proceed to get the constitution changed?

2. Elect a committee consisting of classmates to draw up a constitution for the government of a debating society. Provide in the constitution for election of officers, time and place of holding meetings, qualifications for membership, dues, fines, etc. The committee cannot do good work unless it takes as a model some suitable constitution already drawn up. The constitution drawn up should be submitted to the whole class for approval.

3. Suppose you think a certain law is unconstitutional, have you a right to disobey it?

4. How many constitutions has your State had during its entire history?

5. Would it be wise for Maine and Louisiana to exchange constitutions?

LESSON XXII

THE STATE LEGISLATURE

"While acting as the representative of the people I shall be governed by their will on all subjects upon which I have the means of knowing what their will is, and upon all others I shall do what my own judgment teaches me will best advance their interests." — *Abraham Lincoln.*

When and where the State Legislature Meets. — Each State has its *capital*, or the city in which the business of the State government is transacted. If you have ever been in the capital of your State, you have doubtless visited the *capitol*, or *Statehouse*. This is usually a handsome building, containing many halls, galleries, and offices. In this building is done the most important work of the State government. Here the Governor of the State and his assistants have their offices; here the highest judges of the State hold their courts; here every two years[1] the Legislature or General Assembly of the State meets to make laws. If your visit to the Statehouse is made upon the day a newly elected Legislature meets for the first time, you can learn much about the making of the laws.

The Two Branches of the Legislature. — Let us suppose that you are in the Statehouse on the morning a Legislature assembles for the first time. When the hour for meeting comes, the lawmakers, who have been moving busily about in the corridors, talking with each other, divide

[1] In a few States the Legislature meets every year.

into two bodies. The smaller number meet in a room at one end of the Statehouse. The men who meet in this room are somewhat advanced in years; they move about in a quiet and dignified manner. Some of them seem to be familiar with the place and to know how to begin with the business. These men are *senators*, this is the Senate chamber, and this branch of the Legislature is the *Senate*.

The larger number of lawmakers assemble in a large hall at the opposite end of the Statehouse. This body, as we look upon it from a gallery, differs much in appearance from the Senate. The men are of all ages, from the young man of two and twenty to the gray-haired man of seventy. Some of them are dignified and of pleasing and intelligent appearance; others appear to be very ordinary men. A few of them are self-possessed, but most of them act as if they were in a strange place. These men are *representatives*, and this is the *House of Representatives*. The Legislature of a State, therefore, is divided into two branches, — an upper house, or Senate, and a lower house, or House of Representatives. In some States the lower house is called the Assembly, in others it is called the House of Delegates. In New Jersey it is called the General Assembly.

Election of Members of the Legislature. — Both the lower house and the Senate are representative bodies, that is, the members of both are sent to the capital to act in the place of the people. The counties (or towns) and cities are represented in the House of Representatives, according to population. A county (or town), if it is small, may have but one representative, while a county with a large popu-

lation may have two, or three, or four. In the same way a city is represented by one, two, or more representatives, according as it is small or large. How is the number of representatives for a county, or town, or city determined? Every ten years a *census* of the people is taken, and from this census it can be determined how many representatives a county or city is entitled to. If it is the law that there should be at least one representative for 10,000 people, then a county with a population of 10,000 or under would be entitled to one representative; a county with a population of more than 10,000 and less than 20,000 would get two representatives; a city of 50,000 people, according to this rule, would get five representatives. But a lawmaking body should not be so large as to make it difficult to transact business in a quiet and deliberate manner. A State with 1,000,000 of inhabitants, represented by one representative for every 10,000 people, would have a House of Representatives consisting of 100 members. If the population of the State increases to 2,000,000, how would the law have to be changed so that the number of representatives would still be 100?

A senator represents a larger number of people than is represented by a member of the House. The State is divided into senatorial districts, and from each of these districts one senator is elected. A senatorial district may include several counties, or several senators may represent one county. It is generally provided by law that senators shall be older than representatives, and for this reason they are supposed to be wiser than members of the lower house. They are elected to serve for longer terms than

representatives, and they usually are men who have had more experience in matters of government.

Organization. — After a *roll call* of the members, the first thing that is done in the newly elected House of Representatives is to choose a presiding officer, called a *Speaker*. The Speaker takes the chair, and then the House proceeds to elect some one who is not a member, as its *Clerk* or Secretary. The duty of this official is to write out in a large book, called the *Journal*, a full account of everything that takes place in the House. The House next elects a *Sergeant-at-Arms*, an officer whose duty it is to keep order in the House, and to bring absent members to their seats when their presence is needed to make a *quorum*.

When the Clerk and Sergeant-at-Arms, and such minor officials as messengers and doorkeepers, are chosen by the vote of the House, the Speaker announces the *Committees of the House*.

A Committee of the House consists of a small number of members — three, or five, or seven, or nine — who have charge of some particular branch of legislative business. Thus if the Speaker appoints five members as the Committee on Education, all matters coming up in the House relating to education are first referred to this committee. There are a great many committees. The most important are those on Finance, Corporations, the Judiciary, Elections, Appropriations, Education, Labor, Manufactures, Agriculture, Public Buildings.

If we had remained in the Senate during its opening hour, we should have seen almost the same things that we

saw in the House. There might have been some difference in the matter of the presiding officer. Some States have a *Lieutenant Governor*, and when this is the case, this officer, by virtue of his office, acts as *Chairman* or President of the Senate. Yet even where there is a Lieutenant Governor, the Senate elects a President *pro tempore*, who serves in the absence of that officer. So we may say that the Senate is organized in the same way that we saw the House of Representatives organized. It elects its Clerk, its Sergeant-at-Arms, its messengers and doorkeepers, and the President announces just such committees as are announced in the House. After the two houses have been organized as described, the Legislature is ready to begin its work, — to make laws for the welfare of the people.

QUESTIONS FOR ORIGINAL WORK

(Answers to a number of these questions can be found in the constitution of the State.)

1. Is the capital of your State situated in the most suitable place? Are the citizens of the State proud of their Statehouse?

2. What is the name of the lower house of the Legislature of your State? What is the name of the Legislature taken as a whole? When does the Legislature meet? How long may it continue in session?

3. What are the qualifications for a senator in your State? For a representative? Do you know the name of the senator that represents you in the Senate?

4. What is the method of representation in your State? Is it generally regarded as a just method?

5. Is there a Lieutenant Governor in your State?

6. What is the compensation of a senator? Of a representative?

7. What is "mileage"? What is meant by "a quorum"? What is regarded as a *quorum* in the Legislature of your State?

LESSON XXIII

THE STATE LEGISLATURE (Continued)

"The convention, the campaign, the election, the division of the powers of government, the exercise of political rights, are merely for the purpose of making a law." — *F. N. Thorpe.*

How a Law is Made. — Let us now see how a law is passed in the Legislature. We will suppose that many people in the State wish a law to be passed, compelling railroad companies to run their tracks wherever there is a road or street-crossing, either above or below the road or street, so that the lives of pedestrians or those riding in vehicles may not be endangered. How will they get the law passed? They will get one of their representatives in the Legislature to take up their cause for them. A member, let us say, of the House, will prepare a *bill*, that is, the draft of a law, which compels railroads to lay their tracks either above or below grade at all public crossings. The member first gives notice to the Speaker that at a convenient time he will introduce into the House a bill "To compel railroad companies to lay their tracks either above or below grade at all public crossings." When the day arrives for introducing the bill, the member gives it to the Clerk of the House to read. This is called the *first reading*. The Speaker immediately after it is read refers the bill to its proper *committee*, which, in this case, is the

Committee on Railroads. In a few days the Committee in its private room will give attention to the bill. Friends of the bill will appear before the Committee and speak in its favor; opponents of it will also be present to speak against it. After hearing both sides of the question, the Committee makes its report to the House. If the Committee thinks there is no reason for such a law, it reports "unfavorably," and there the matter will probably end: the bill is "killed in Committee." But if the Committee thinks well of the bill, it reports "favorably." This means that in the opinion of the Committee the bill ought to become a law. The title of the bill is again read in the House, and if no objection is raised, it is allowed to pass upon its *second reading*. In its regular order the Bill is taken up for its *third and last reading*. It is now read in full by the Clerk, and a discussion of it begins. Speeches are made in favor of it, and those who are opposed to it, speak against it. If a member wishes to change a particular part of the bill, he offers an *amendment* to it. The amendment is voted upon, and if it receives a majority of the votes, the amendment becomes a part of the bill; if the amendment is voted down, the bill remains as it was before. After a full discussion and debate, the measure comes to a final vote. The Speaker asks the House, "Shall the bill pass?" The House answers the question by taking a vote. If a majority vote *aye* (yes), the bill passes; if a majority vote *no*, or if the *noes* equal the *ayes*, the bill is lost; it is "killed in the House." Let us suppose it passes in the House. It is then taken by the messenger of the House to the Senate. Here it has the same

history that it had in the House. It is referred by the President of the Senate to its proper committee, is read three times upon three different days, is fully discussed upon its last reading, is possibly amended, and is then voted upon. If it passes in the Senate with amendments, it must then go back to the House in order that a vote may be taken upon it as amended by the Senate. If it passes in the House with the amendment, the bill has passed, and, as far as the Legislature is concerned, it is a law.

In nearly all the States, however, a bill that has passed both houses of the Legislature is not yet a law, but must be sent to the Governor of the State for his approval. If the Governor signs it, or if he takes no action upon it within a fixed number of days, it becomes a law. The Governor may, however, *veto* the bill, that is, he may send it back with his objections stated in writing to that branch of the Legislature that sent it to him. The Legislature may then take another vote upon the bill, and if it again passes both Houses, it becomes a law in spite of the Governor's veto. But in order to pass it over the Governor's veto, it must, as a rule, get more than a bare majority of votes. In some States it must receive the votes of two thirds of the members present; in others it must receive a majority of the votes of all the members elected.

After a bill has gone through all the stages mentioned, after it has been passed by both Houses and has been signed by the Governor, it is assumed to be a law, and an attempt is made to enforce it. It is liable, however, to be declared to be unconstitutional. If, when the bill relating

to railroad crossings has been passed, the railroad officials should object to laying their tracks as ordered, on the ground that the Legislature had no right to pass such a law, and should take the matter into court and the judge should decide that the Legislature had no such right under the constitution, then the law would be null and void, and the railroad companies would not be compelled to obey it.

What the Legislature of a State may Do. — The best way to learn what the Legislature of a State may do, is to learn first what it may not do. First, it may not pass a law that is contrary to the constitution of the State. This point was illustrated in the last paragraph. Second, it may not pass a law contrary to the Constitution of the United States. When we come to study this Constitution, we shall learn that there are certain powers of government granted to Congress, the body that makes laws for the United States. For instance, one of the powers granted to Congress is to manage the post offices of the country. A State Legislature, therefore, has no right to make laws relating to post offices. Again, in the Constitution of the United States, certain things are mentioned which a State must *not* do. For example, a State must not coin money. Hence, a State Legislature has no right to establish a mint. Members of a State Legislature, then, should keep these two things in mind: First, they may not make laws contrary to the constitution of their own State; and, second, they may not make laws contrary to the Constitution of the United States. So long as it does not violate either of these two rules, a State Legislature is free to

pass almost any law it pleases. It would take too long to name all the laws that can be passed, and that are passed, in the Legislature of a State. Sometimes at one session more than a thousand laws are passed. The following is a list of a few of the things done by a State Legislature:

(1) It grants charters for the government of cities, boroughs, and villages; it also grants charters to railroads, banks, colleges, and to many other institutions, public and private.

(2) It makes laws regulating taxation, licenses, fees.

(3) It defines the boundaries of counties and towns.

(4) It makes laws for the punishment of crime, such as treason, murder, arson, theft, bribery, forgery, fraud, perjury.

(5) It makes laws concerning property, such as relate to the sale of lands, the giving of mortgages, the granting of deeds, the making of wills, the settlement of the estates of bankrupts, the management of the estates of the dead.

(6) It makes laws concerning education, charity, health, marriage, divorce.

(7) It makes laws concerning the qualifications of voters and the time and manner of holding elections.

(8) It makes laws governing railroads, steamboats, canals, telegraph companies, telephone companies.

(9) It makes laws regulating hunting, fishing, mining, manufacturing, trading.

It is plain that most of the laws that regulate us in our daily conduct, and in our daily pursuits, are made by the State.

Honest Men for the Legislature. — Since the duties of the State lawmaker are so many and his powers are so great, citizens should make every effort to elect only honest and intelligent men to the Legislature. There is good reason to believe that in some States bad men get laws passed for their own private benefit. They do this through bribery. They offer members of the Legislature some inducement to vote for a bill that is against the interests or the comfort of the great mass of people, and in the interest of their own selfish schemes. The voter on election day should think of this and try to prevent it. He should not vote to send to the Legislature a man who he believes can be bribed. Just as the happiness of the people of a city depends, in a great measure, upon the kind of men they send to the City Council, so the happiness of the people of a State depends, in a large measure, upon the kind of men they send to represent them in the State Legislature. If we can get good laws through the Legislature of our State, we have advanced a long way on the road to good government.

The Initiative and Referendum. — In several States, as in South Dakota, Oregon, Utah, Oklahoma, Missouri, Maine, Colorado, and California, the voters, if they wish, may engage personally in the business of lawmaking. This they may do by making use of a device known as the "initiative and referendum." By this device a certain per cent of the voters may propose (*the initiative*) to the Legislature a bill which must be enacted into a proposed law and then referred back (*the referendum*) to the people to be voted upon. Also, where the initiative and referendum

is in force, the voters may keep their eyes on the work of the Legislature, and if they desire they may demand the privilege of voting on any law that the Legislature has passed. These are the words of the constitution of Oklahoma:

"The people reserve to themselves the power to propose laws and to enact or reject the same at the polls independent of the legislature, and also reserve power at their own option, to approve or reject at the polls any act of the legislature."

Constitutional amendments, as well as laws, are sometimes adopted by means of the initiative and referendum.

QUESTIONS FOR ORIGINAL WORK

1. Why are there two branches of the Legislature? Why should a bill be passed in both Houses before it becomes a law? Why should there be three readings of a bill?

2. What is the "pocket veto"? When a Governor vetoes a bill, does he act as a legislative or as an executive officer of government?

3. If the Legislature of your State is in session, find out what important measures are before it. Are you prepared to speak intelligently about any of these measures? Have you in mind any law you would like to see passed? How would you go about getting it passed? What is the name of the senator who represents you in the Legislature?

4. With what two documents should a member of the Legislature be familiar?

5. What difference do you observe in the powers of the Legislature and those of the City Council?

6. What is meant by "sumptuary laws"?

7. What is meant by the "lobby"?

8. In what way may men be bribed without actually giving them money?

9. If a Legislature consists of a body of rascals, whose fault is it?

LESSON XXIV

THE GOVERNOR AND HIS ASSISTANTS

"Strictly speaking, the Governor is not the head of the executive department, but a member of it. The executive department is parceled out in several pieces, and his is one of the pieces."—*John Fiske.*

The Governor. — As soon as the lawmakers have passed all the laws that seem desirable, they leave the capital and go to their homes. It is left to the officers of the executive department to see that the laws are obeyed. At the head of this department stands the Governor, — the pilot of the ship of State. The Governor is elected by the votes of the people. His term of office in some States is for one year; in others, it is for two years; in others, it is for four years. In the constitutions of most States it is required that the Governor be at least thirty years of age, and that he shall have been a resident of the State for five years before his election. His powers are great, but they are granted to him by the people, and if he abuses his power, he may be impeached. What are his powers and duties?

The first duty of a Governor is to see that the laws are faithfully executed. If he learns that the law is being violated either by public officers or private persons, he must take steps to have the laws obeyed. To secure obedience he may call to his assistance judges and sheriffs and even

the soldiers of the State, for he is the commander in chief of the land and naval forces within the State. Sometimes when a mob is bent on destroying life and property, the Governor calls out the troops and sends them against the mob. When public business is to be conducted between one State and another, the Governor acts in the name of the State. It is the Governor's duty to send to the Legislature at the opening of the session a *message*. This message informs the Legislature of the condition of affairs throughout the State, and recommends the passage of such laws as the Governor thinks ought to be passed. The Legislature, however, is not bound to pass, or even to consider, the laws recommended in a message. In time of danger or pressing need, if the Legislature is not in session, the Governor may call it in *extra session*, so that it may at once pass such laws as the moment requires. The Governor, in many States, has the power to pardon criminals. He may forgive the offense entirely and restore the criminals to freedom, or he may *commute* the punishment, that is, he may make it less severe. Sometimes, when a person is sentenced to be hanged, the Governor commutes the punishment to imprisonment for life. For a good reason he will *reprieve* or postpone the execution of the death sentence. In some States this matter of pardon, commutation, and reprieve is not left to the Governor, but is intrusted to a special body of officers, known as the Board of Pardons.

Another power of the Governor is that of appointment. In all the States there are many officers who are not elected directly by the people, but receive their positions by ap-

pointment. Many of these appointments are made by the Governor. In some States he has the appointment of the judges of the State courts, — a great responsibility. In nearly all the States he appoints the justices of the peace. When an elective official dies or resigns before his term ends, the Governor fills the vacancy by appointing some one to serve until another election is held. When an officer is guilty of misconduct in office, the Governor in most States may remove him and put a better man in his place.

The above are a few of the powers of the Governor. In some States his power is much greater than in others. The question of the "power of the executive" is too difficult for you to discuss now, but when you grow up to be voters, you may have to decide whether it is better to give the Governor *much* power or to give him *little*.

Other Executive Officers. — The Governor cannot attend to all the public affairs of a State. He must have assistants, just as the Mayor of a city has heads of departments to assist him. These assistants of the Governor are high executive officers of the State, and they are generally elected by the people. Below, you will find the names of most of them, with a short explanation of their duties:

(1) *The Lieutenant Governor.* — A lieutenant is an officer who takes the place of a higher officer, when that officer is absent or cannot attend to his duties. Some States elect a *Lieutenant Governor* to serve when the Governor is out of the State or is unable to be at his post. The duties of the Lieutenant Governor are very few. We have seen that he has the right to act as the President of the State

Senate; but he has no vote in that body except when there is a *tie*, that is, when there is an equal number of votes for and against a measure. When there is a tie, the Lieutenant Governor decides the question by voting on one side or on the other. In such a case he is said to have the *casting* vote.

(2) *The Secretary of State.* — This officer, sometimes elected, sometimes appointed by the Governor, is the highest clerk of the executive department. He has charge of State papers, of the Journals of the Legislature, and of historical documents, statuary, paintings, relics, etc., owned by the State. If you will visit his office in the Statehouse, you may find some very interesting things there.

(3) *The State Comptroller.* — A comptroller is a manager of accounts. The Comptroller of a State manages the financial business of the State government. He attends to business relating to the debt, the property, the claims, the revenue of the State. He superintends the collection of taxes due to the State, and examines the claims of those to whom the State owes money. When a debt of the State is to be paid, the Comptroller orders the State Treasurer to pay it.

(4) *The State Treasurer.* — We have learned that when a town or a county collects money by taxation, a certain portion of the money must be given over to the State government. This money is sent to the State Treasurer. He either keeps it in a large iron safe at the capitol or gives it to some reliable bank to keep. He cannot pay a dollar of it out without an order from the Comptroller. Like

the other treasurers of whom we have spoken, the State Treasurer must give bond for the honest performance of his duties.

(5) *The Attorney-General.*—This is the law officer of the State, corresponding to the prosecuting attorney of the county. When the State needs the services of a lawyer, he appears for it in the courts. When any executive officer of the State needs legal advice, the Attorney-General is called upon for an opinion.

(6) *The Superintendent of Public Instruction.*—This is the highest school officer of the State. He stands in the same relation to the counties of the State as the County Superintendent stands to the school districts of the county. The officers of the school district report to the County Superintendent and the County Superintendents report to the State Superintendent. In this way the State Superintendent keeps informed of the condition of all the schools. He prepares a report and sends it to the Legislature. In this report he states the needs of the schools and suggests how they may be improved. He presides at the meeting of County Superintendents and at teachers' institutes, and furthers the cause of education in whatever way he can.

Impeachment.—If it is charged that a high officer of the State is guilty of misconduct in office, if, for example, the Governor is accused of having accepted a bribe for signing or for not signing a bill; or if a judge is accused of trying cases while he is drunk, the House of Representatives inquires into the charges, and if it finds that there is truth in them, it impeaches the offender, that is, it accuses

him of official misconduct. The trial of the officer thus impeached is conducted by the Senate. That body listens to the evidence against the impeached officer, and if it regards him guilty, it pronounces judgment against him. An officer who has been found guilty under impeachment, can no longer hold an office of honor, trust, or profit in the State.

QUESTIONS FOR ORIGINAL WORK

1. What is the name of the chief executive officer of your State.

2. Examine the constitution of your State for answers to the following questions:

(*a*) What are the qualifications of the Governor?
(*b*) What is the length of his term of office?
(*c*) What is his salary?
(*d*) Has he the power of veto?
(*e*) Has he the pardoning power?
(*f*) May he remove an inefficient officer?
(*g*) What officers does he appoint?
(*h*) If there is no Lieutenant Governor, who will fill the vacancy if the Governor should die or resign?

3. Ought the Lieutenant Governor to preside in the Senate at the trial of a Governor, whom the House has impeached?

4. When the Senate tries an impeachment case, does it act as a legislative or judicial body?

5. What are some of the qualifications of a good Governor? A good Comptroller? A good Attorney-General? A good State Superintendent of Instruction?

6. Have you read a Governor's message? What is a Governor's "proclamation"?

7. Does the constitution of your State provide for other executive officers not mentioned in the lesson?

LESSON XXV

JUDGES, JURIES, AND COURTS OF LAW

"No man's property is safe, and no man's welfare is assured where justice is denied to the poor, or where crime goes unpunished; no State can prosper where human rights are not respected." — *David A. Wells.*

The Judicial Department. — You have learned how a law is made, and you have learned the names and duties of those officers who compel obedience to the laws. But before an officer can punish a person for disobeying the law, it must first have been decided that the one accused is actually guilty. You will remember that the decision of this question is left neither to those who make the laws, nor to those who are to enforce them, but to a third body of men, the judicial officers or judges of the State. Every State has a complete judicial system by which citizens may defend their rights and secure justice. It is this judicial system that we are now to study. We will begin with the lowest part of the system and proceed to the highest.

The Justice of the Peace. — Let us suppose that a house has been burned in your neighborhood, and that a man named X is suspected of having burned it. Some citizen who is interested, perhaps the owner of the house, will file a complaint against X before a *justice of the peace.* This officer is usually appointed by the Governor, but is sometimes elected by the people. In either case he is an officer,

not of the town or city or county, but of the State, and he acts in the name of the State. He renders decisions only in small and unimportant cases. Thus, if a man is sued for a few dollars, or if he is arrested for drunkenness, or fast driving, his case could be decided before a justice of the peace. Returning to the case of house burning: When the complaint is filed against X, the justice of the peace gives a constable, or policeman, a warrant for the arrest of the accused, who is brought into the justice's court. Since X is charged with having committed an awful crime,— the crime of arson,— the justice cannot try his case. But he can do this: He can listen to witnesses for and against X, and if he believes that the accused is probably guilty, he may send him to jail to await trial in a higher court. But this trial may not come up in a higher court for several months, and if X is an innocent man,— and the law supposes he is innocent until he is proven guilty,— it would be a great hardship for him to have to lie in jail for so long. This he need not do if he can get bail. To give bail, he must get one or more of his friends to sign an agreement to pay the State a certain sum of money if he should fail to appear in court for trial when he is wanted. This agreement is a bond, and those who sign it are bondsmen. If X runs away before trial, he is said to "jump bail." Let us suppose he is able to give bail, and that he awaits his trial like a man.

The Circuit Court. — The trial of X will take place before the judges of the Circuit Court — in some States called the District Court, in others the Superior Court.[1]

[1] In a large city X would be tried before the Criminal Court.

The judges of this court hold court in the courthouse of the county seat two or three times in a year. The same judges may serve in several counties, going from one county to another. It is for this reason they are sometimes called *circuit* judges. They are generally elected by the people, although in some States they are appointed by the Governor. In all cases, like justices of the peace, they act in the name of the State.

Into this Circuit Court X is brought for trial. The crime that he is accused of is supposed to have been committed not against the person whose house was burned, but against society, against the whole body of people, against the State. It is the State, therefore, that brings him to trial. The State's Attorney brings the case before the *grand jury*, a body consisting of not less than twelve nor more than twenty-three citizens, whose business it is to find violators of the law and to present them to the court for trial. These grand jurymen summon the witnesses who will testify against X, but not those who will testify in his favor. If it is the opinion of at least twelve of the grand jury that X ought to be tried for the burning of the house, the State's Attorney will draw up an *indictment*, containing the charges against him, and the foreman of the grand jury will write across the back of the indictment the words, "A true bill." This means that X must stand a trial in court.

The examination by the grand jury was secret; but the trial in court, is open to the public. When X is brought into court, the indictment is read to him, and he is asked whether he is "guilty" or "not guilty." His reply is

called a *plea.* If his plea is "guilty," the judge sentences him to be punished according to law. If his plea is "not guilty," the judge appoints a time for his trial. The trial begins by the selection of twelve men to act as a jury to decide whether he is guilty or not. This is called the *petit jury*, or *small* jury, to distinguish it from the grand jury. The members of the petit jury, like those of the grand jury, are chosen from among the citizens of the neighborhood, — from farmers, mechanics, merchants. Some of them may be neighbors of X. Before they are allowed to serve, they must swear that they have not formed an opinion upon the guilt or innocence of the prisoner, and that they will decide the case according to the evidence that is presented to them. After they have taken this oath, the jurymen sit in the "jury box" and listen to the testimony of witnesses. In a trial, there are always two parties, one called the *plaintiff*, who brings the complaint or suit into court, and another, called the *defendant*, or the one against whom the complaint is brought. In the case before us the State is the plaintiff, and X is the defendant. The State's Attorney, in behalf of the plaintiff, presents the case against the defendant and examines witnesses for the State. Another lawyer speaks in behalf of X and examines witnesses who have testimony in his favor. After the evidence on both sides has been heard, and after the judge has given his charge to the jury, directing them on some points of their duty, the jury retires to a private room to talk the matter over and come to a decision. If they can all agree, they return to the courtroom with their *verdict.* If the verdict is "guilty," the judge will pronounce sen-

tence upon the prisoner in open court and give him over to the sheriff for punishment; if the verdict is "not guilty," X is set free, and he cannot be tried again for the same offense.

The Supreme Court. — If after X is sentenced, his lawyer can show that strict justice has not been secured, he may take the case to a higher court, usually called the *Supreme Court*, or *Court of Appeals*,— the highest court of the State. The judges of this court meet at the capital of the State and hear cases that have been tried in the court of law. The Supreme Court will not try the case of X over again, but it will listen to his *appeal*, and if it is shown that the judges in the court below did not try the case according to law, it will order a new trial and thus give X another chance for his freedom; if it finds that the trial was properly conducted in the lower court, X will have to bear his punishment.

Civil and Criminal Cases. — Cases that involve crime, like the case of X, are called *criminal*. Most of the cases, however, that are tried in courts do not relate to crime, but to the ownership of property. Such cases are called *civil*. The chief difference between a criminal and a civil case, is that in a criminal case the plaintiff is the State; while in a civil case, the plaintiff is a private person or a corporation. The history of a civil case in the courts is quite like that of a criminal case. If the amount of property at stake is small, it may be tried before a justice of the peace. If the amount is large, the case is tried in the Circuit Court (or District Court), and if satisfaction is not obtained, then it may be taken to the Supreme Court.

QUESTIONS FOR ORIGINAL WORK

1. Examine the constitution of your State for answer to the following questions.

(*a*) Are judges of the court elected or appointed?
(*b*) What are the qualifications of a judge?
(*c*) How long do they hold office?
(*d*) What salaries are given to the different judges?
(*e*) Name the different courts of the State.
(*f*) How may a judge be removed from his office?
(*g*) Are justices of the peace elected or appointed?

2. Can the people choose by their votes a better judge than the Governor can select?

3. Why should the term of office of a judge be longer than that of other officers?

4. In what court would you sue a man for a debt of two dollars? For a debt of ten thousand dollars? In what court would a man accused of murder be tried? A boy accused of disorderly conduct?

5. A man has been kept in jail awaiting trial. The trial proves him to be innocent. Has he any redress?

6. Which are the most important, good lawmakers, good executive officers, or good judges?

7. What are some of the unpleasant things a judge is called upon to do?

8. Write a description of the kind of a man you think would make a good judge.

9. What are the advantages of trial by jury?

LESSON XXVI

THE NATIONAL GOVERNMENT

"Great were the hearts and strong the minds
Of those who framed, in high debate,
The immortal league of love, that binds
Our fair broad Empire, State with State." — *Bryant.*

Importance of State Government. — We have now studied the leading facts connected with several of the governments by which we are controlled. We have studied the government of the family and learned the rights and duties of parents and children; we have studied the government of the school and learned the rights and duties of pupils and teachers; we have studied the government of the city, county, and town, and have learned what are the powers and duties of the officers of these governments; we have studied the government of the State, and have learned how State laws are made and enforced. We shall now take up the study of another government; but, before we do this, I wish to say a few more words about the State government.

Of all the governments we have studied, that of the State is by far the most important. Indeed, all the smaller governments depend upon the State government. The affairs of the home, the school, the county, the town, the township, the city, are all influenced greatly by the

government of the State. Think how much this means. It means that the State gives us nearly all the laws under which we live. It means, too, that everywhere in the different parts of this great country the people may have in a large measure just such laws as they like best. The people of Maine are not compelled to live under the same laws as the people of Mississippi. There are forty-eight States, and each State may have a constitution and laws to suit its particular case. Thus the people of each State have the right of *local self-government.* Just as in New England the people of each town manage their local affairs in their own way, so the people of each State conduct the public affairs of the State in their own way. It will help you to think clearly upon some important questions, to remember that a State, for most of the purposes of government, is a self-governing community. But it is not entirely independent. There is a government above it, — the government of the United States.

The Articles of Confederation. — You know that after the thirteen colonies declared themselves independent of Great Britain, each colony was left a free and independent State. But the colonies could not get their independence without fighting for it, and they could not fight successfully unless they all fought together. They understood this perfectly well, and during the seven years of war with England they joined hands and kept them joined until the enemy was conquered. But when the war was over, and England had acknowledged their independence, each State began to think more of its own interests and to care very little for union. In 1783 the thirteen States were held together by

the Articles of Confederation, a form of government that had been adopted during the war. Whatever may have been the value of these Articles in times of danger from a foreign foe, in times of peace they served no useful purpose. They gave Congress a right to make certain useful laws, but they gave it no power to enforce those laws; they gave it the right to declare war, but they did not give it the right to compel men to serve in the army; they gave it the right to borrow money, but they did not give it the right to raise money by taxation in order to pay the debt. In other words, the government of the United States under the Articles of Confederation was a legislature only: it lacked the executive and judicial powers. It was like a three-legged stool with two legs gone. Of course, such a government could not be respected. Yet the people of the States felt there ought to be union, and that there ought to be a general government that would have power enough to make itself respected. What prevented such a union? It was the pride and jealousy of the States. Each State was free to do just as it chose, and if a strong union was formed, some of the freedom would have to be surrendered. Things went from bad to worse under the Confederation. Congress was mobbed at one time by a crowd of drunken men; soldiers who had served in the war clamored for their pay, but there was no way to raise money for them. One State quarreled with another.[1] Washington and

[1] The condition of affairs under the Confederation has been described by Mr. Fiske in his "Critical Period of American History." You should read this book and learn what would be the danger and evils if each State were allowed to do entirely as it pleased.

Madison and Hamilton and other statesmen saw these evils and took steps to remedy them before it was too late.

The Constitutional Convention of 1787. — It was one of the evils under the Confederation that the people of the different States could not trade freely with each other. The New Jersey farmer could not carry his produce into New York without first paying a tax upon it. Each State had its own customhouse, and collected taxes upon goods brought from foreign countries and turned the money into its own treasury. This made the burden of taxation unequal in the different States. With the purpose of remedying this state of things, and taking measures to make the laws of trade uniform, a convention was called to meet at Annapolis in 1786. But, as only five of the thirteen States responded to the call, the delegates thought it unwise to proceed further with the business. They did, however, make a report, requesting the States to send delegates to another convention that should meet in the following year. With this request all the States, excepting Rhode Island, complied.

In May, 1787, delegates from twelve States met in Philadelphia for the purpose of amending the Articles of Confederation in such a manner as to correct the evils of which we have spoken. In this convention were some of the ablest men our country has produced. There were Washington and Madison and Hamilton and Franklin. These men did not work for their own selfish interests, or even for the advantage of a particular State, but for the advantage of all the States. The sessions of the convention were secret, but we know most of the things that were said

and done in it. It soon agreed that the government under the Confederation was weak and worthless, and that an entirely new form of government was necessary. It saw that, instead of a Confederation of the States, there ought to be a union of the people. How was this to be accomplished? It could not be accomplished without the States giving up some of their rights, and would they be willing to do this? Most of the members thought the States would. For four months the subject was debated, and at last a *Constitution* for the government of the United States was agreed upon. Probably no one in the Convention thought the proposed Constitution was perfect. The words of the aged Franklin, who had worked all his long life for union, will give us an idea of the spirit in which the work of the Convention was done. When the labors of the Convention were over, and the members were about to adjourn and go home, Franklin arose and said: "I consent to this Constitution because I expect no better, and because I am not sure it is not the best. I hope, therefore, that for our own sakes, as part of the people, we shall act heartily and unanimously in recommending it wherever our influence may extend, and turn our future thoughts and endeavors to means of having it well administered."

The Constitution proposed by the Convention was sent to the several States for their approval. In almost every State it met with fierce opposition. The new government, it was claimed, would crush out the rights of the States, and destroy the freedom of individuals. But the Constitution had strong supporters, and one by one the States

voted to accept it. It was provided that when nine States approved of it, it should go into effect. By July, 1788, it had been approved by nine States, and it, therefore, became a law of the land. Two States, North Carolina and Rhode Island, refused to accept it, and remained out of the Union for some time. If these States had so desired, they could have remained out until this day, and they would now be foreign countries. In 1789, however, North Carolina joined the Union, and in 1791 Rhode Island did likewise. The government under the new Constitution began to transact business in New York in April, 1789. In 1790 the seat of government was removed to Philadelphia, and in 1800 to Washington, which has remained the capital of the United States. The Constitution framed by the Convention of 1787 is the Constitution under which we live to-day. We shall now study this important document. You will find a copy of it in almost any school history of the United States.

LESSON XXVII

THE NATIONAL LEGISLATURE

"The American Constitution is, so far as I can see, the most wonderful work ever struck off at a given time by the brain and purpose of man." — *William E. Gladstone.*

The Preamble to the Constitution. — The Constitution of the United States will remind you of your State Constitution. It provides for a government of three departments, the legislative, the executive, and the judicial, and it contains a Bill of Rights. It begins with a few words called the *preamble*, which state the reasons for forming a national government. The words of the preamble are:

"We, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America."

If you have studied the last lesson carefully, you will understand the preamble. The States were disunited, were jealous of each other and quarreled with each other; the Constitution proposed to form a "more perfect union." When quarrels arose between a State and a citizen of another State, or between citizens living in different States,

there was no good way of settling the dispute; the Constitution proposed to "establish justice," by organizing a system of courts in which such disputes might be settled. There had been rebellion and serious uprisings in some of the States; the Constitution proposed to have "domestic tranquillity" — peace at home. Under the Articles of Confederation, the defense against the attacks of Indians, or even against a foreign foe, depended largely upon the resistance of the particular State that suffered; the Constitution provided for a "common defense," that is, it proposed to support a national army, which should be ready at any time to defend a single State or all the States against an enemy. Before 1787 each State made laws to suit its own local interests, without regard to the interests of other States; the Constitution proposed to make laws that would "promote the general welfare" — the welfare of all the States. In the words of the preamble are wrapped up all the purposes and objects of the government that meets at Washington. You should learn the preamble by heart.

Congress. — The most important department of a government is its lawmaking body. For this the Constitution provides first. It provides that laws of the national government shall be made by a body called a Congress, and that the Congress shall have two branches, a Senate and a House of Representatives, just like the Legislature of a State. This Congress every year, on the first Monday in December, meets in the magnificent Capitol at Washington; the Senate at one end of the building, the House of Representatives at the other end.

You should try to visit Washington when Congress is in session, for it is an impressive sight to see a body of men making laws for a great nation.

The House of Representatives. — It is the purpose of the Constitution that the will of the people shall be expressed in the House of Representatives. Hence, members of this branch of Congress are elected by a direct popular vote, and each State is represented according to its population. During the first years of national government a State was allowed one representative for every 30,000 inhabitants. If this number had remained unchanged, the House of Representatives would now consist of over 3000 members, and would be a body much too large for the transaction of business in a deliberate way. But it has not remained unchanged; as population has increased, the number of inhabitants for each representative has been made larger. At the present time each State is allowed to send one representative for every 211,877 inhabitants. This gives Delaware one member in the House, and New York forty-three members. The representatives from all the States number 435. Each State is divided by its Legislature into a number of *Congressional Districts*, each district containing, as near as may be, 211,877 inhabitants, so that it may be entitled to one representative. Thus Iowa, with 2,224,771 inhabitants, is divided into eleven Congressional Districts, and is entitled to eleven members in the House of Representatives.

The House of Representatives, upon meeting, organizes in very much the same way that the lower house in a

State Legislature is organized. A Speaker, a Clerk, a Sergeant-at-Arms, and Committees are elected.

The Senate. — The States are represented in Congress by senators. It was the purpose of those who framed the Constitution to preserve the power and dignity of the State as far as possible. For this reason one State is as well represented in the Senate as another; each State, whether great or small, being entitled to two senators. Nevada, which has a population of less than 100,000, has as much power in the Senate as has New York, with a population of about 10,000,000. This, at first sight, may seem to you to be unjust, but the more you study the subject the more reason you will see for the law. Probably the only way to enable the smaller States to preserve their rights is to give them equal power with the larger States in the Senate. Senators are not elected by the people but by the Legislatures of the different States. The election is so arranged that when a new Congress meets only one third of the Senate can consist of new members. As there are now forty-eight States, the Senate consists of ninety-six members; and sixty-four or more of these are experienced lawmakers.

How a Law is passed in Congress. — A law is passed in Congress in almost the same way that one is passed in the Legislature of a State. A bill is introduced into one of the Houses, is referred to its proper Committee, is reported upon, is read three times upon three different days, is voted upon, and if it receives a majority of votes, is sent to the other House, where it has almost the same history. If it passes in this House, also, it is sent to the

President for his approval. If he approves the bill, he signs it and it becomes a law. If he does not approve it, he vetoes it; that is, he returns it to the House without his signature and with his objections. If two thirds of the members of each House still vote for the bill, notwithstanding the objections of the President, it becomes a law without his approval.

EXERCISE

(By examining the second and third sections of the first Articles of the Constitution you will be enabled to fill the blanks properly.)

A member of the House of Representatives is elected to serve for —— years. No person can be elected in this branch of Congress unless he is at least —— years of age and has been a —— of the —— for at least —— years. He must also reside in the —— in which he is elected. A senator of the United States is elected by the —— of a —— to serve for —— years. He must be at least —— years of age, and must at the time of his election have been a —— of the —— in which he is elected. Both senators and representatives are privileged from —— while in attendance upon ——.

QUESTIONS

1. What are the names of the senators who represent your State in Congress?

2. How many representatives does your State send to Congress? In what Congressional District do you live? What is the name of your representative?

3. In 1912 Congress, by a two-thirds vote of both branches, submitted to the States for ratification an amendment to the Constitution, providing for the election of United States senators by a direct vote of the people. Ought this amendment to be ratified?

LESSON XXVIII

WHAT CONGRESS MAY DO

The Power of Congress Limited. — What are the powers of the national lawmaking body described in your last lesson? A glance at history will help you to understand this question. You remember that after the Declaration of Independence each State was practically a free and independent republic, and had in itself all the power of government. There was nothing that a government can wisely do that the government of a State could not do. The States were proud of this great power. Like individuals they loved their pride and their will. Now, when the Union was formed, in 1787, it was necessary to give up some of this power. But the States were careful to give up as little power as possible, and they were extremely careful to have it understood just what powers they meant to give up, and to reserve for themselves all powers that they did not give up. Therefore, certain definite powers of the new government were plainly stated. These powers it might exercise, and no others. All powers not granted to the general government were reserved to the States. The answer to the question, "What can Congress do?" is this: It can do what it is written in the Constitution it can do, and it can do no more. The answer to the question, "What can the Legis-

lature of a State do?" is this: It can do anything that is not contrary to the constitution of the State, or to the Constitution of the United States. In other words, Congress is a lawmaking body with limited powers.

The Powers of Congress. — You will find most of the powers of Congress stated in the eighth section of the first article of the Constitution. This section says that Congress shall have power:

(1) "*To collect taxes*," for the support of the national government. It takes an immense sum of money to support the national government. The salaries of several hundred thousand officials and the pensions of about a million of old soldiers, and soldiers' widows, must be paid; costly public buildings in Washington and customhouses and post-offices in large cities must be built; expensive war ships and fortifications must be maintained; an army and a navy must be supported. To do all this requires over $800,000,000 per year. Congress raises most of this enormous sum in two ways: First, it levies a tax called a duty, or tariff, upon goods brought into this country from foreign countries. This duty is collected at customhouses situated in the great cities. Second, it levies a tax, called the internal revenue tax, upon liquors and tobacco manufactured within the United States.

(2) "*To borrow money*," when the government is pressed for cash. When an individual borrows money he gives the lender a note stating the amount loaned, the time of payment, and the rate of interest that is to be paid. In the same way, when a government borrows money it gives

to the lender its printed notes. The notes thus issued by a government are called *bonds*. The United States has borrowed in this way vast sums of money. When the Civil War was over, its debt was nearly $3,000,000,000. This has been reduced to somewhat less than $2,000,000,000.

(3) "*To regulate commerce.*" — Under this power Congress places heavy duties upon certain classes of imported goods so that our own goods of the same kind may be *protected* against the competition of the *foreign market.* People who believe in keeping out foreign goods in this way are called "protectionists." Those who believe in allowing foreign goods to come in without being taxed, are called "free traders." When you become voters you will probably be called upon to decide either for protection or for free trade. Congress further regulates commerce by registering American vessels, providing for lighthouses and life-saving stations along the coast, and improving harbors and opening rivers to navigation.

(4) "*To establish a uniform rule of naturalization.*" — In a former lesson you learned what is meant by naturalization. The laws relating to this subject must be made by Congress.

(5) "*To establish uniform laws on the subject of bankruptcies throughout the United States.*" — When a person owes more money than his property is worth, he is a *bankrupt.* The creditors of a bankrupt have a right to take such property as he has, and divide it fairly among themselves. If Congress so chooses it has the right to make the laws regulating bankruptcies.

(6) "*To coin money.*" — Before the Constitution was adopted there was great confusion in the kind of money in use. No two States had coins of the same size and value. They used foreign money chiefly. Few States had mints. The Constitution took the right of coining money away from the States and gave it to Congress. Under this power Congress has established in different parts of the country *mints* where gold, silver, nickel, and copper coins are made. Since a coin of a given denomination is always of the same weight and fineness, it circulates freely in any part of the Union.

(7) "*To fix the standard of weights and measures.*" — A yardstick should be just as long, and a pound weight just as heavy in Pennsylvania, as the one or the other is in California, and Congress has the right to require that this shall be the case. In point of fact, however, Congress has not exercised this right very fully. The national government presents a full set of weights and measures to the government of each State, and the State adopts these as correct. Thus throughout all the States merchants use standard weights and measures.

(8) "*To provide for the punishment of counterfeiting the securities and current coin of the United States.*" — A person convicted of counterfeiting the money of the United States may be fined five thousand dollars, and imprisoned for ten years.

LESSON XXIX

WHAT CONGRESS MAY DO (Continued)

Congress has power:

(9) "*To establish post offices and post roads.*" — It is through the post office that the national government meets the citizen in his daily life. Letter carriers and postmasters are officers of the United States. It is plain that the States could not attend to the carrying of the mails. The government of the State of Maine could not well follow a letter addressed to a town in Oregon.

(10) "*To promote the progress of science and useful arts by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries.*" — Authors are encouraged to write good books by giving them a *copyright* upon their works. The person who has a copyright upon a book is the only one who can print and sell it. A copyright lasts for twenty-eight years. It is secured by entering the title and sending two copies of the printed book to the Librarian of Congress in Washington. Congress encourages useful inventions by granting *patents* to inventors. A patent upon a machine gives the one who holds the patent the exclusive right to make and sell or use the machine. Rights under a patent last for seventeen years. The inventor sends drawings and a

model of his invention to the Commissioner of Patents at Washington, and if it is found that he has invented something really *new* a patent will be granted.

(11) "*To constitute tribunals inferior to the Supreme Court.*" — This will be explained when we come to the judicial department of the national government.

(12) "*To define and punish piracies and felonies committed on the high seas, and offenses against the law of nations.*" — Piracy is robbery upon the sea. The national government punishes pirates because their crime is committed outside of the boundary of a State. When a citizen commits an offense against a foreign nation the injured nation regards the offender as a citizen of the United States, and not as a citizen of a State. It is the national government, therefore, that must punish piracies and offenses against the laws of nations.

(13) "*To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water.*" — As the evils of war would fall on many States, it is not right that a single State should be allowed to declare war. War, therefore, can only be declared by Congress, and conducted by the national government. Sometimes Congress grants to private persons the right to go and seize certain property belonging to a foreign country. Such a commission, called a *letter of marque and reprisal*, cannot be granted by a State. When in times of war valuable property is captured, the prize must be divided among the captors according to the direction of the national government.

(14) "*To raise and support armies.*"

(15) "*To provide and maintain a navy.*"

(16) "*To make rules for the regulation of the land and naval forces.*"

(17) "*To provide for calling forth the militia to execute the laws of the Union . . . and repel invasion.*" — The regular or standing army of the United States consists of about 60,000 soldiers. In times of peace this number is large enough, but in times of war, it is, of course, too small. When the national government needs a large army for the defense of the country, Congress may call out the militia of the States. The *militia* of a State consists of all its able-bodied male citizens between the ages of eighteen and forty-five. The law usually excuses the civil officers of government, clergymen, teachers, physicians, and firemen from military service. With these exceptions, every strong man in the country is a member of the militia, and may be called upon to serve in the army. Thus it is in the power of Congress to raise an immense army for the support of the national government and for the defense of the nation against a foreign enemy.

(18) "*To provide for organizing, arming and disciplining the militia, and for governing such part of them as may be employed in the service of the United States.*"

(19) "*To exercise exclusive legislation*" over the District of Columbia. Under this rule the people of the District of Columbia, which includes the city of Washington, have no voice in the government of their city. Congress acts as a kind of City Council for the government of Washington. It appoints three Commissioners who conduct the public business of the District.

(20) "*The Congress may determine the time of choosing the electors for President and Vice President of the United States.*" — This will be explained when we come to speak of the election of the President.

(21) "*The Congress may by law provide for the case of removal, death, resignation, or inability, both of the President and Vice President.*" — Under this power, in 1886, Congress passed a law providing that if both President and Vice President die, the Secretary of State shall act as President; if the Secretary of State dies, the Secretary of the Treasury shall act as President; and so on down through the Cabinet, the Secretary of War coming third, the Attorney-General fourth, the Postmaster-General fifth, the Secretary of the Navy sixth, the Secretary of the Interior seventh.

(22) "*New States may be admitted by the Congress into this Union.*" — Under this power Congress has admitted thirty-five States since the formation of the Union.

(23) "*The Congress shall have power to . . . make all needful rules and regulations respecting*" *Territories.* — A Territory is governed under a Territorial Law, passed by Congress. Its Governor, judges, and other chief officers are appointed by the President of the United States. It is entitled to send to Congress a delegate, who may speak upon questions relating to his Territory, but may not vote. When the people of a Territory desire to be admitted into the Union as a State, a petition is sent by the Territorial Legislature to Congress. If Congress thinks that the Territory has a sufficient number of people and are capable of governing themselves as a State, it passes a law

giving to the voters of the Territory the right to elect members to a Constitutional Convention. The members of this convention meet and frame a constitution for the new State, and submit it to the voters of the Territory for their approval. If the proposed constitution receives a majority of the votes, it is sent to the President of the United States, who, if he finds in it nothing contrary to the spirit of our institutions or to the Constitution or laws of the land, issues a proclamation admitting the Territory into the Union as a State. Under their new State constitution the people have more of the rights of self-government than they had when they were a Territory. As a member of the Union, the new State shares in the election of a President, it sends two senators to the United States Senate and it is entitled to representation in the House of Representatives according to its population. Nearly all the Territories have been admitted as States. Besides Alaska, the only Territory that now remains is Hawaii. But Porto Rico and the Philippines have governments somewhat like that of a Territory.

(24) "*The Congress shall have power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers . . .* "— This has been called the "elastic clause" of the Constitution, because the words "necessary and proper" may be *stretched* to mean almost anything. Under this power Congress has passed laws that many people think it had no right to pass. The intention of the clause was to give Congress the right to pass such laws as were necessary to accomplish the objects for which the Constitution was framed.

LESSON XXX

WHAT THE CONSTITUTION FORBIDS

What Congress may not Do. — In order to guard the interests of the States, the framers of the Constitution were careful to mention certain things that the national government may not do. What these things are may be found in the ninth section of the first article of the Constitution.

(1) *Slavery.* — The first prohibition refers to the importation of slaves, but as slavery has been abolished we may pass this subject by. (See Article XIII. of the Amendments.)

(2) *The writ of habeas corpus* shall not be suspended.

(3) *a.* No *bill of attainder* shall be passed. This means that Congress may not condemn a person to death, or to outlawry and banishment, without opportunity for defending himself in a court of law.

b. No *ex post facto* law shall be passed. An *ex post facto* law establishes or increases the penalty of an act after it has been committed. For example, if Congress should pass a law establishing the penalty of death upon a man found guilty of counterfeiting money a year ago, such a law would be *ex post facto*, for at the time when the crime was committed the penalty for counterfeiting

was only fine and imprisonment. Let your teacher pass an *ex post facto* law, and you will readily see the wisdom of forbidding such laws.

(4) "*No capitation or other direct tax shall be laid unless in proportion to the census or enumeration hereinbefore directed to be taken.*" — This means that if Congress should pass a capitation, or poll tax, it must be the same in all States. If a direct tax on property should be laid by Congress, it would have to be apportioned among the States in proportion to their populations. Thus, if the United States Government should raise $35,000,000 by a direct tax, the property holders of Georgia would pay about $1,000,000 of the sum, for the population of this State is about one thirty-fifth of the entire population of the Union.

(5) "*No tax or duty shall be laid on articles exported from any State. No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another.*" — This clause compels Congress to treat all the States alike in the matter of indirect taxes.

(6) "*No money shall be drawn from the treasury but in consequence of appropriations made by law, and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.*" — Not one dollar can be taken from the treasury until Congress has passed a law stating the uses to which it is to be put.

(7) "*No title of nobility shall be granted by the United States.*" — Such titles as Prince, Duke, Earl, etc., are not in keeping with democratic government, and very properly they cannot be conferred by Congress.

(8) "*No person holding any office of profit or trust . . . shall, without the consent of Congress, accept of any present, emolument, office, or title of any kind whatever, from any king, prince, or foreign state.*"

What a State may not Do. — The makers of the Constitution took the greatest pains to make clear the powers of the national government, and to define its relations to the State government. In section eight, of the first article, the Constitution tells what Congress may do; in section nine it states what Congress may not do; in section ten it tells what a State may not do. You will notice that the things a State is forbidden to do are either the things that the national government is given the right to do, or they are those things that Congress is forbidden to do because it is not right that any government should do them. Thus, no State shall coin money, for it is the business of the United States to coin money; no State shall pass any *ex post facto* law, because such a law should not be passed by any government.

The Fifteen Amendments. — Some of the most important provisions respecting the powers of the national government are to be found in the Amendments to the Constitution. (In Article V. you may learn how the Constitution is amended.) The people of the States in the early years of our history were fearful lest the national government should have too much power, and they hastened to secure amendments that would preserve all needful rights to the States, and that would bind the hands of Congress if it attempted to encroach upon their rights. Of the fifteen

amendments that have been made since 1789, ten were added within three years after the Constitution was adopted. These amendments should be studied carefully, for they are really our national "Bill of Rights." The rights mentioned in these amendments are also mentioned in our State constitutions, and are the rights enjoyed by American citizens. As you read these amendments and learn what are your rights as a citizen, do not forget your duties. If it is your right to worship as you please, it is your duty not to persecute in any way those whose religion is different from your own; if it is your right to express your opinion freely, it is your duty to allow your neighbor to express his opinion without attempting to punish him for so doing.

QUESTIONS FOR ORIGINAL WORK

1. Find authority in the Constitution for the following things that Congress has done:

(*a*) It supports a National Museum.
(*b*) It maintains a Naval Academy at Annapolis.
(*c*) It appropriates money for the support of agricultural colleges.
(*d*) It supports life-saving stations along the seacoast.
(*e*) It bought Louisiana of France and Alaska of Russia.
(*f*) It appropriates money for the relief of sufferers in flooded districts.

2. Name some of the things Congress can do under the following powers:

(*a*) Its power to declare war.
(*b*) Its power to maintain a navy.
(*c*) Its power to borrow money.
(*d*) Its power to coin money.
(*e*) Its power to admit Territories as States.
(*f*) Its power to regulate commerce with foreign nations.
(*g*) Its power to provide for the general welfare.

LESSON XXXI

HOW THE PRESIDENT IS ELECTED

"Sir, I would rather be right than be President." — *Henry Clay.*

The Nomination of a President. — Article II. of the Constitution refers to the qualifications, election, and powers of the President, the head of the executive department of the national government. How is this great official chosen? How do the 100,000,000 people of our great Republic select one of their number as a ruler? As an intelligent citizen you should be able to give a clear answer to this question.

The election of a President is conducted by political parties. Before a man can hope to be President, he must be named as the candidate of a great party. Among the millions of voters in a great political party, there are many public men who are eager to be its candidate for President. The first question to be answered then is: How is the presidential candidate of a political party selected? How, for illustration, does the Democratic party select its candidate? The first step is taken several months before the election in November. In April or in May, the party holds its (1) *Primary*, or first election. At this election the Democratic voters of a township or of an election district, choose three or four or five of their number to go as dele-

gates to a county Democratic convention. These delegates may go instructed to act in the interest of a certain man as the party candidate for President, or they may go free to act as their judgments direct. In a few days after the primary election the delegates from all the election districts of the county assemble (usually at the county seat) as the (2) *Democratic County Convention.* This body, consisting of thirty or forty men, elects three or four or five delegates to go to a State Convention.[1] If the majority of the delegates in the County Convention were in favor of a certain man for president, it is likely that the delegates of the State Convention will be in favor of the same man. A few weeks after the holding of the County Convention, delegates from all the counties assemble at some convenient place, as (3) *Democratic State Convention.* This body, consisting sometimes of several hundred men, passes resolutions expressing the political views of the party in the State, names its choice for presidential candidate — if it happens to have a choice — and elects delegates to the Democratic National Convention. The number of delegates sent to represent a State in the Democratic National Convention, is twice the number of the representatives of the State in the National Congress. In most of the States, however, the State convention elects only four delegates (called delegates at large) to the National Convention; the other delegates being elected at Congressional District Conventions. By June or July all the State Conventions have been held, and delegates have been elected to the

[1] In a city each ward sends delegates to a city convention, and this body elects delegates to the State Convention.

great (4) *Democratic National Convention.* This body, consisting of more than a thousand men, representing all parts of the country, meets in some convenient city in the central part of the United States. After several days of discussion, and after adopting a *platform* expressing the views of the party upon public questions, it elects the Democratic candidate for President and for Vice President. In almost the same way, beginning with the primary election, and advancing to the County, State, and National Conventions, the Republican Party and People's Party and Prohibition Party select their presidential candidates.

Direct Primaries. — Candidates for State and local offices are also named by conventions. In many States, however, candidates are no longer nominated by conventions but by a direct primary vote. In these States when a party wishes to nominate a candidate for sheriff, for example, the voters of the party vote for the candidate of their choice at primary elections held throughout the county, and the candidate who wins at the primaries becomes the regular party candidate. If a candidate for Governor is to be chosen, the voters of the party throughout the State express their choice of candidates at primaries, and the candidate successful at the primaries is regarded as the regular party candidate for Governor.

In some States the system of direct primaries has been adopted in nominating a candidate for the presidency. In such States, *presidential* primaries are held and voters are given an opportunity to express by direct vote their preference in respect to presidential candidates, and to choose by direct vote the delegates sent to the national convention.

Election of President. — After all the political parties have named their respective candidates for President, the campaign begins. Political meetings are held, at which orators set forth the claims of their candidates and defend the platform of their party; in the cities processions march through the streets with great display of banners, torches, and fireworks, while bands of music play spirited airs; everything that can be done to influence voters is done. The campaign continues until election day, the first Tuesday after the first Monday in November. On this day every fourth year about fifteen millions of citizens go to the polls to express their choice for President. But they do not vote for a President directly; they vote for a set of men called *Electors*, whose duty is to vote for a President and Vice President. Each State is entitled to a number of electors equal to the number of its senators and representatives in Congress. Delaware, having one representative and two senators, is entitled to three electors; New York, having forty-three representatives and two senators, is entitled to forty-five electors. There are in all the States five hundred and thirty-one presidential electors. The names of the State electors of each party are printed on the ballot under the party name, and those who receive the highest number of votes are elected and are morally bound to vote for the candidate of the party that elected them. The successful electors of each State meet on the second Monday in January following the election, and vote for President and Vice President. The result of this vote is sent in a sealed envelope to the President of the Senate at Washington. On the second Wednesday of the follow-

ing February, the President of the Senate, in the presence of both Houses of Congress, opens the envelopes containing the electoral vote of the different States, and the votes are counted. The person who has a majority (266 or more) of the votes cast for President, is declared to be elected President of the United States, and the person who has a majority of the votes cast for Vice President is declared to be elected Vice President of the United States. (See Constitution, Article XII. of Amendments.) It has happened twice in our history that no candidate had a majority of all the electoral votes. When this is the case the House of Representatives chooses a President and the Senate a Vice President. When electing a President, the House must choose from the three highest on the list of the persons voted for by the electors, and it must vote by States, the majority of representatives from each State casting one vote for their State, and the representatives of two thirds of the States must take part in the election. The successful candidate must receive a majority of the votes of all the States. When the Senate is obliged to elect a Vice President, it proceeds on the same principles.

Inauguration. — On the fourth of March the newly elected President and Vice President begin their duties. In the presence of a vast throng of citizens the Chief Justice of the United States administers to the President-elect the following oath: "I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States, and will, to the best of my ability, preserve, protect, and defend the Constitution of the United States." The President then delivers his inaugural address, from

the eastern steps of the Capitol, outlining his policy and stating his ideas upon public questions. After this inauguration he is driven to the executive mansion, generally known as the "White House," where he resides during his term of office, and where you may some day see him and shake hands with him.

EXERCISE

(By examining Article II. of the Constitution, the pupil may learn how to fill the blanks properly.)

Both President and Vice President hold their position for —— years. No person may be President who was not born in the ——, and who is not —— years of age at the time of his ——, and who has not been a resident within the —— for —— years. If a President should be removed from his office or should —— or —— or be —— to discharge the powers and duties of his——, the position of —— shall be filled by the ——. The President receives a salary for his ——, but this —— must not be —— or —— during his term of ——. He must not receive any other compensation than his —— either from the ——, or any——.

QUESTIONS FOR ORIGINAL WORK

1. What is the salary of the President? Of the Vice President?
2. Ought the President to be elected directly by the people?
3. How many Presidents have been elected a second time? What are the objections to electing a President for a third term?
4. How many votes were cast for presidential electors at the last election?
5. Is it possible for a man to be elected president without receiving a majority of the votes of the people?
6. What are the qualifications for the office of Vice President?

LESSON XXXII

THE PRESIDENT AND HIS CABINET

"The President is strong because he represents the people."
— *Bryce.*

The Powers and Duties of the President. — The President does for the United States what a Governor does for one of the States — he takes care that the laws are faithfully executed. His powers and duties are stated in the second and third sections of Article II. of the Constitution. He is commander in chief of all the troops in the service of the United States, although in times of war he may not appear personally upon the field of battle. He may pardon criminals convicted for offenses committed against the United States. He may make a treaty with a foreign country providing two thirds of the members of the Senate vote for it. A treaty is an agreement between two nations to do or to refrain from doing certain things. It may be to make war upon a third nation, or to maintain peace, or to regulate commerce or the carrying of mails, or for any other purpose. It is through treaties that the different nations of the world attempt to secure the good will of each other, and the responsibility of making them rests with the President and the Senate. A most important duty of the President is to select proper men to fill the many offices under the national government. However, as you see in the

Constitution, many of the appointments made by the President must secure the consent of the Senate. When the Senate is not in session the President may fill a vacancy without waiting for its consent. At the beginning of a session of Congress the President sends to that body a *message*, in which he calls attention to the needs of the country and suggests such legislation as seems to him necessary. Congress is not obliged to follow the suggestions of the President's message any more than the Legislature of a State is obliged to follow the suggestions contained in a message from the Governor. When Congress is not in session and it seems necessary that certain laws should be passed as quickly as possible, the President may call an *extra session*, just as the Governor of a State may call an extra session of the Legislature.

The Cabinet. — The President is responsible for the management of the entire business of the executive department. This means that he is responsible for the management of foreign affairs, which includes the making of treaties, the appointing of ministers and consuls to serve in foreign countries and instructing them in their duties, the reception of foreign ministers in Washington, the giving of passports to those who wish to travel abroad, the protection of American citizens in other lands, and all other business that arises between our government and other governments. He is responsible for the collection of taxes and the expenditure of money appropriated by Congress and the management of the public debt; for the management of the Indians, the sale of public lands, the payment of pensions, the taking of the census, the granting of patents;

for the management of the army with its officers and troops and forts and equipments and military schools; for the management of the navy with its fleets and forts and training schools; for the management of the national courts with their marshals and attorneys; for the management of the vast business of the post office with its post office buildings and postmasters, letter carriers and clerks.

Of course, the President cannot superintend all this business in person. Like the executive of any large government, like the Governor of a State or the Mayor of a city, he must have a body of able assistants. This business of the national government is divided into nine departments, and at the head of each department the President places a man who he thinks is competent to manage its affairs. The nine officers placed at the head of the great departments are known as the *Cabinet*. The Cabinet is responsible to the President, and whenever he wishes to confer with it or to get its advice, he summons it to the White House, where its meetings are held. No record is kept of the Cabinet meetings, and the public does not know what takes place at them. The President is not bound to act according to the wishes of the Cabinet, but it is not probable that he often acts contrary to its decision. The names of the departments with the titles of the Cabinet officers, are:

(1) The Department of State, under the management of the Secretary of State, who is at the head of foreign affairs.

(2) The Treasury Department, under the management of the Secretary of the Treasury.

(3) The Department of War, under the management of the Secretary of War.

(4) The Post Office Department, under the management of the Postmaster-General.

(5) The Department of the Navy, under the management of the Secretary of the Navy.

(6) The Department of the Interior, under the management of the Secretary of the Interior, who has charge of Indian affairs, pensions, patents, the sale of public lands.

(7) The Department of Justice, under the management of the Attorney-General, who gives the government written opinions upon questions of law and represents it in the national courts. His office is like that of the Attorney-General of a State.

(8) The Department of Agriculture, under the management of the Secretary of Agriculture, whose duty is to promote the interests of farmers.

(9) The Department of Commerce ~~and Labor~~, under the management of the Secretary of Commerce and Labor, whose duty is to promote the interests of trade and of workingmen.

(9) Labor

The Civil Service. — In all the departments mentioned above, there are employed nearly 400,000 persons. In the Post Office Department alone there are more than 200,000 people employed in collecting, carrying, and distributing the mail. All servants of the national government, except members of Congress, army and navy officers, and soldiers and sailors (in the naval service), belong to the *Civil Service*. All the vast army of officers and employees

are appointed either directly by the President or by the heads of the departments. In order to help in the work of securing proper persons for the departments a Civil Service Commission has been established. It is the duty of this body to examine those who wish employment with the government and to report on the fitness of the applicants.

QUESTIONS FOR ORIGINAL WORK

1. Study sections two and three of the second article of the Constitution, and make out a list of the powers and duties of the President.

2. What is the salary of a Cabinet officer?

3. To what department of the national government would you take the following matters:

(*a*) A claim for a pension.
(*b*) A complaint against the post office.
(*c*) A request for a passport in foreign countries.
(*d*) An application for admission to West Point.
(*e*) An application for a patent.
(*f*) A theft of United States bonds.
(*g*) A request for information regarding the best method of curing a disease in cattle.

4. How would you proceed if you wished to get a position as a clerk in the customhouse?

5. What is meant by the words: "To the victors belong the spoils"?

6. What is meant by "Civil Service Reform"?

7. Are the people whom you know generally in favor of the merit system?

LESSON XXXIII

THE NATIONAL COURTS

"The Supreme Court is the living voice of the Constitution, that is, of the will of the people expressed in the fundamental law they have enacted. It is the conscience of the people who have resolved to restrain themselves from hasty or unjust action by placing their representatives under the restriction of a permanent law."—*James Bryce.*

The Kind of Cases tried in the National Courts. — The third article of the Constitution describes the powers and the nature of the judicial department of the national government. The courts of a State try those cases that arise under the laws and constitution of the State, while the courts of the general government try those cases that arise under the Constitution of the United States, and the laws passed by Congress. A man charged with the crime of burglary would be tried in one of the courts of the State in which the crime was committed; for the laws against burglary are passed by the legislatures of the States. A man charged with counterfeiting money would be tried in one of the national courts; for the laws against counterfeiting are passed by Congress. A person charged with breaking a street lamp would be tried in a State court, for his offense concerns a State; but a person charged with robbing a letter box attached to a lamp-post, would be tried in a court of the United States, for his offense con-

cerns the national government. Again, the national courts may try those cases that arise between citizens of different States, if either party to the case so desires. Also when a dispute arises between two States, it is settled, not in a State court, but in the national court. If such a case were left to the courts of one of the States to be decided, the other State, if the decision went against it, would in all probability be dissatisfied. Still another class of cases tried in the national courts consists of those in which one of the parties is a foreigner. If a foreign country has a grievance against one of the States it must try its case in the courts of the United States, for the nation and not the State is responsible to foreign governments. Likewise, if a citizen of another country has a grievance against a State, or against one of its citizens, he may bring suit in a national court. In the case of ambassadors and their families and attendants, when any trouble arises, the matter must be taken directly to the Supreme Court of the United States. Under this rule, if a servant of an ambassador should steal a pound of sugar or should be charged with disorderly conduct, his case would have to be tried before the highest court of the United States. This great respect is shown to foreign ministers in order to avoid giving offense to the governments which they represent.

The Three Grades of National Courts. — For the trial of such cases as have just been mentioned, the government of the United States supports a system of courts somewhat similar to those supported by a State. The judges of all these courts are appointed by the President, and they

all hold their office for life. There are three grades of national courts, and three grades of judges, — district, circuit, and supreme.

The lowest court of the system is the (1) *District Court*,[1] which is presided over by a District Judge. In every State there is at least one District Court. The larger and more populous States have two or more District Courts; altogether there are more than ninety District Judges in the United States. These lowest courts try all crimes committed against the United States, and they try such civil cases as may properly be tried in national courts. In the District Court are tried patent and copyright cases, counterfeit cases, cases arising under the postal laws, and other classes of cases arising under laws passed by Congress. When a case has been tried in the District Court and either of the parties to the case is not satisfied with the result, it may be taken, that is, appealed, either to the Supreme Court of the United States, or to the Circuit Court of Appeals, a court established in 1891 to do part of the heavy work of the Supreme Court. An appealed case is carried to the Supreme Court (*a*) when it involves a question of jurisdiction, that is, a question as to what court the case ought to be tried in; (*b*) when it involves the construction of the Constitution of the United States; (*c*) when it involves a question of the constitutionality of a law, that is, whether the law, State or national, agrees with the Constitution of the United States; (*d*) when it is a case of conviction for some great crime; (*e*) when it involves

[1] The pupil should be careful not to confuse the District Courts of the national system with those courts of the same name in the State system.

the construction of a treaty. In other cases than those mentioned, an appeal must be taken from the District Court to the Circuit Court of Appeals.

For the trial of certain classes of cases upon appeal, Congress has established nine great judicial circuits and has provided for each circuit a court known as a (2) *Circuit Court of Appeals.* This court is composed of regular Circuit Judges and of judges of the other courts. Three judges are necessary for the trial of a case, and one of the three may be a Justice of the Supreme Court who is assigned to the circuit. A judge, however, who has tried a case in the District Court cannot sit at the trial of the same case in the Circuit Court of Appeals. The Circuit Court of Appeals tries only those cases that are brought to it upon appeal from the District Court.

The highest court in the United States system is the (3) *Supreme Court,* which sits at Washington. It consists of a Chief Justice and eight Associate Justices. In cases affecting ambassadors and consuls, and those in which a State is a party, it has *original jurisdiction.* This means that these cases must be tried for the first time in the Supreme Court. The chief business of this great court, however, is to try the cases that are appealed to it from the lower courts. The Supreme Court is the most exalted and in some respects the most powerful body in the United States. It acts as the guardian of the Constitution. If Congress or the Legislature of a State passes a law that is unconstitutional, it declares that law null and void. If a State court renders a decision that conflicts with the Constitution or with a law of the United States, the Supreme

Court may overrule the decision. It may pass judgment upon all questions of law or of fact that are appealed to it and that it chooses to consider.

NOTE. — The salaries of the principal officers of the National Government are as follows:

President	$75,000
Vice President	12,000
Members of the Cabinet	12,000
Chief Justice of Supreme Court	15,000
Associate Justices of Supreme Court	14,500
Judges of Circuit Courts	7,000
Judges of District Courts	6,000
Representatives	7,500
Senators	7,500

QUESTIONS

1. Name three of the most important decisions that have been made by the Supreme Court in the history of our country.

2. Name two of the most celebrated men who have served as Chief Justices of the Supreme Court.

3. Study the third article of the Constitution for answers to the following questions:

(*a*) How long does a judge of a federal court hold office?
(*b*) Can Congress reduce the salaries of the present judges?
(*c*) In what court would a charge against a consul of a foreign country be brought?
(*d*) In what court would a man be tried for robbing a post office?
(*e*) In what court would a suit between a State and a citizen of a foreign country be tried?

4. Use the words "State" and "federal" properly in the following passage:

There are less than a hundred and fifty —— judges, and there are many thousands of —— judges. "A large majority of the cases at law are tried in —— courts. If only —— laws are involved in the case, the

—— courts can have nothing to do with it. Ordinary crimes, such as assault, theft, and murder, can be tried only in —— courts. In like manner nearly all cases arising in the administration of school laws, laws concerning paupers, highways, —— taxation, the laws for the government of cities and the holding of elections, are triable in the —— courts alone. It is only when some provision of the —— constitution, or some act of the United States Government is involved that a —— court can act." — *Macy*.

LESSON XXXIV

POLITICAL PARTIES

"A political party is a body of men united for promoting by their joint endeavors the national interest upon some particular principle in which they are all agreed. Party division, whether in the whole operating for good or evil, are things inseparable from free government."— *Edmund Burke.*

What Political Parties are for. — In the lesson about the election of a President, it was said that no one can hope to be chosen to that high office unless he is first the choice of a great political party. What is true of the highest officer is for the most part true of the lowest. If a man wishes to be elected to an office, whether of the city or county, or State, or nation, he must secure his election through a party. Moreover, if a citizen, or a large number of citizens, wish certain laws to be passed, or desire the government to adopt a certain policy, they must rely upon a party to bring about what they wish. If there is no party in existence that will aid them in securing what they wish, they must form a party of their own. How may they do this? Let us, for illustration, suppose that a large number of people believe that war is always wrong, and that our government should make no further preparation for war, that the land forces should be disbanded, that the ships of the navy should be disarmed, and that

the military and naval schools should be closed. At present there is no party that looks with favor upon such views. Our peace-loving citizens, if they wish the government to adopt their policy, must form a party of their own and through this party get control of the machinery of government. In order to do this they will have to *organize*, that is, they will have to form in bodies, elect officers, and agree upon certain lines of action, and appoint committees to do certain things. All great parties are thoroughly organized. In every township, ward, county, and State, there are regularly chosen permanent committees to whom certain party work is given to be done, and by whom the life of the party is sustained from election to election. We have seen how the great task of nominating a President is accomplished through party organization. The citizens of a city or of a State, then, who are most enthusiastic for peace will organize. They will meet and form a peace society, electing officers, enrolling members, and taking measures to secure new members. Similar societies will soon be formed in other States. If the peace sentiment in the country is quite strong, and these peace societies are quite numerous, it will not be long before the different societies will send delegates or representatives to a general association or convention. This convention may decide to enter politics. If so, it will state its political principles in a declaration called a *platform*, and will nominate candidates for office who are favorable to a policy of peace. In this way a new political party, a peace party, will be formed. Everybody who believes that government should pursue a policy of peace will now

have an opportunity to express his views by voting for the candidates of the new party. If these candidates shall receive a number of votes sufficient to elect them, they will become a part of the government, and they will be morally bound to carry out, as far as they are able, the principles of the party that elected them. Thus, it is through party organization that the will of the people is expressed, and thus far no other way of expressing that will has been discovered.

The Choice of a Party. — Every young man upon coming of age is called upon to vote for one of the great parties. Of course he will wish to vote for the best party. How shall he decide which is the best? He should not vote for a party merely because his father votes for it, or because he hopes to secure an office at its hands, but should vote for the one that he thinks will act for the best interest of the country. He should make a careful study of the history and principles of all the great political parties, and learn what each has already done for the country, and what each proposes to do, and then decide for himself which one he will vote for. The principles of party may be found in its platform. A very good way for a young man to choose his party would be for him to decide (without having the party name before him) which of the platforms of the great political parties contains the best principles, and choose the party that declares for those principles, no matter what may be its name.

Loyalty to Party. — After a man has voted for and worked with the same political party for some years he becomes attached to it, and it is difficult, sometimes, for

him to vote for any other party. He becomes a party man — a *partisan*. If he leaves his party he is pretty sure to offend his party associates, who call him traitor or mugwump, or some other harsh name. Yet there are times when it is the duty of a good citizen to vote against his party. When he believes the principles of his party are no longer good for his country, or when he is asked by it to vote for dishonest or dangerous or incompetent men, it is his plain duty to refuse to do so. In such a case he is called upon to decide, not between one party and another, but between a party and his country. It is a question of patriotism, or love of country. In times of war a man's love for his country is tested by his willingness to fight and die for it, but in times of peace his patriotism is tested by his willingness to vote *right*, whatever may be his interests or prejudices, or party ties.[1]

[1] An excellent history of parties is Johnston's "American Politics."

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